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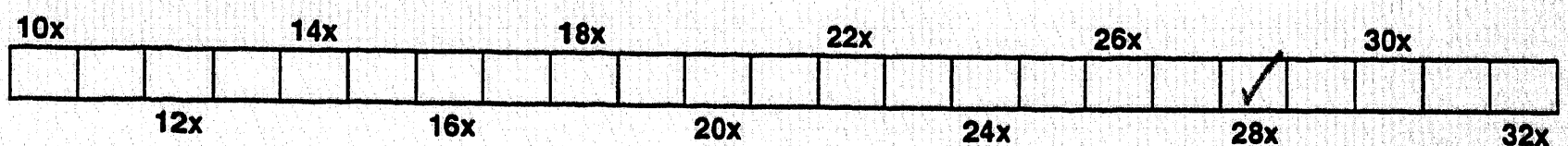
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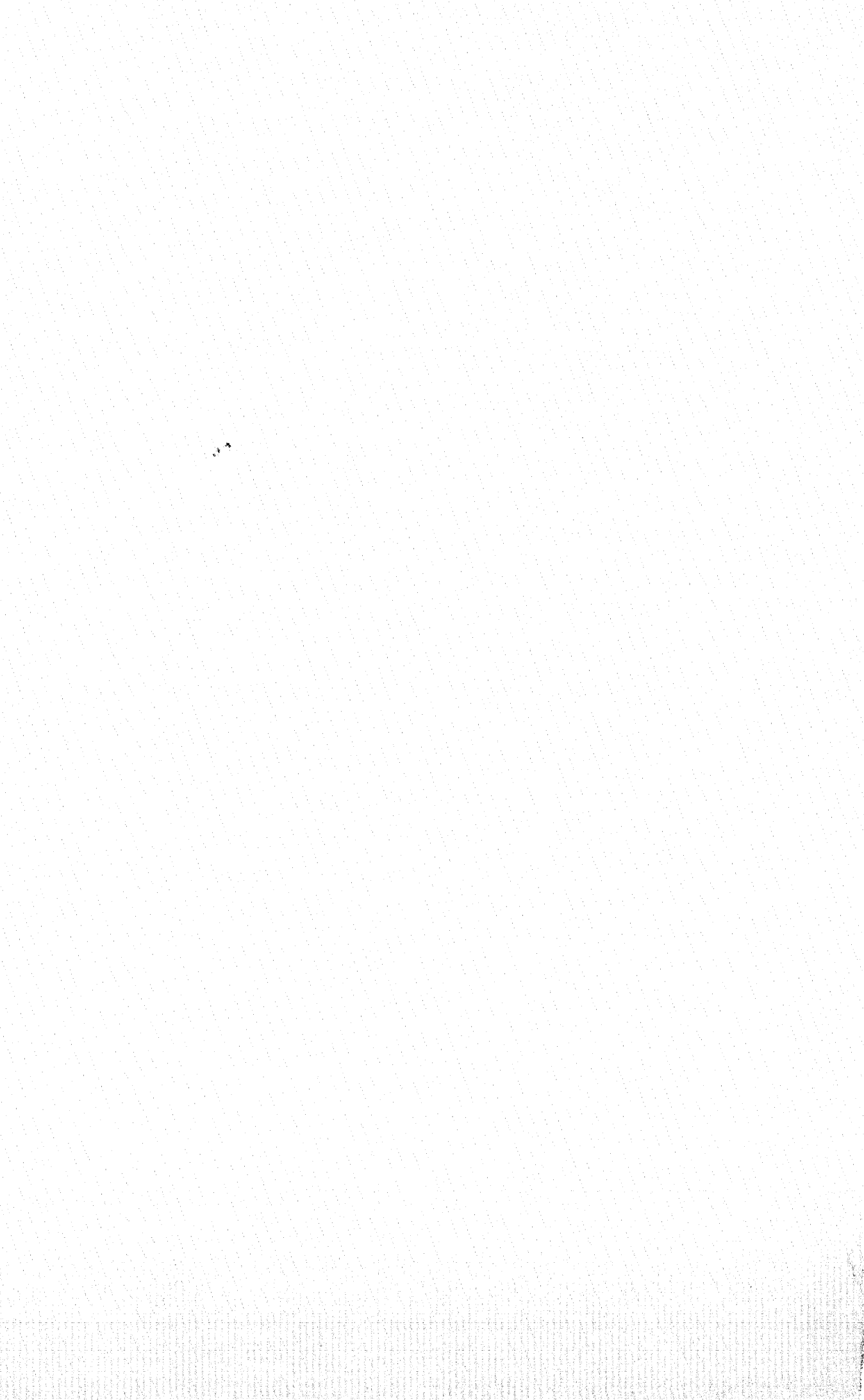


JOURNAL.

HOUSE OF ASSEMBLY.

SESSION 1839-40.





JOURNAL
OF THE
HOUSE OF ASSEMBLY

OF
UPPER CANADA,

FROM THE THIRD DAY OF DECEMBER, 1839, TO THE TENTH DAY OF FEBRUARY, 1840,
(BOTH DAYS INCLUSIVE.)

IN THE THIRD YEAR OF THE REIGN OF QUEEN VICTORIA;

BEING THE FIFTH SESSION OF THE THIRTEENTH PROVINCIAL PARLIAMENT.

SIR ALLAN NAPIER MACNAB, SPEAKER.

SESSION 1839-40.



THE RIGHT HONORABLE CHARLES POULETT THOMSON,
GOVERNOR GENERAL.

TORONTO:
PRINTED BY HUGH SCOBIE, BRITISH COLONIST OFFICE,

JAS. CLELAND, PRINTER.

1840.

RULES

FOR THE

GUIDANCE OF PROCEEDINGS

IN THE

HOUSE OF ASSEMBLY.

MEETINGS AND ADJOURNMENTS OF THE HOUSE.

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

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

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

QUORUM.

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

MINUTES.

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

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

SPEAKER.

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

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

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

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

MEMBERS.

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

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

LEGISLATIVE COUNCIL.

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

COMMITTEE.

- XXIII.—That the rules of the House shall be observed in committee of the whole, so far as they may be applicable, except the rule limiting the times of speaking.
- XXIV.—That in forming a committee of the whole House, before leaving the chair, the Speaker shall appoint a Chairman to preside, who shall immediately take the chair, without argument or comment.
- XXV.—That every Member who shall introduce a bill, petition or motion upon any subject which may be referred to a committee, shall be one of the committee without being named by the House, except in cases of controverted elections. (*Explained by standing order No. 18.*)
- XXVI.—That of the number of Members appointed to compose a committee, such number thereof as shall be equal to a majority of the whole number chosen, shall be a quorum, competent to proceed to business, (except in election committees,) where the number to form such quorum shall not be specially fixed by the House.

XXVII.—That in a committee of the whole House, a motion that the Chairman leave the chair, shall always be in order and take precedence of every other motion, and that when the motion is made on account of any question of order or privilege arising, the Speaker shall resume the chair without discussion or vote of the committee.

XXVIII.—That in a committee of the whole House, all motions relating to the matter under consideration, shall be put in the order in which they are proposed.

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

YEAS AND NAYS.

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

MOTIONS AND QUESTIONS.

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

XXXII.—That a motion to adjourn shall always be in order.

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

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

AID AND SUPPLY.

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

BILLS.

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

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

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

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

Standing Orders.

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

PETITIONS.

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

ORDERS OF THE DAY.

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

ACCOUNTS.

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

PRINTING.

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

UNPROVIDED CASES.

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

STANDING ORDERS OF THE HOUSE.

I.—That the public accounts laid before this House at the present Session be printed for the use of the Members as early as practicable, and that this resolution be a standing order of the House in future as to the public accounts to be hereafter laid before the Commons House of Assembly, and that two hundred copies of such accounts be accordingly printed for this purpose at every Session.

JOURNAL, 1824—PAGE 130, MS.

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

JOURNAL, 1825—PAGE 48, MS.

Standing Orders.

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III.—That in future two hundred copies of the Journals of this House be printed as soon as may be practicable after each Session of the Provincial Legislature, under the provisions of the 46th (now 44th) rule. (*Rescinded in effect by 14th standing order.*)

JOURNAL, 1825-6—PAGE 367, MS.

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

JOURNAL, 1829—PAGE 529, MS.

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

JOURNAL, 1829—PAGE 46, MS.

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

JOURNAL, 1829—PAGE 746, MS.

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

JOURNAL, 1829—PAGE 747, MS.

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

JOURNAL, 1830—PAGE 129, MS.

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

Three copies to each Member.

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

Six copies to the Lieutenant Governor.

Three copies to the library.

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

Three copies to the library of the Imperial Parliament.

One copy to the Colonial Department.

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

JOURNAL, 1830—PAGE 194, MS.

X.—That in future, all notices of the intentions of Members to introduce bills, motions, or resolutions, other than matters of privilege, shall be given immediately after the reading of petitions

JOURNAL, 1831—PAGE 70, MS.

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

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

Standing Orders.

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

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

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

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

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

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

XV.—That the time for receiving and disposing of the reports of select committees shall be next in order after giving notices.

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

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

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

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

PRINTED JOURNAL, 1836, PAGE 139.

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

PRINTED JOURNAL, 1837, PAGE 243.

ORDERED,—That one copy of all bills, reports, addresses, or papers of any kind whatsoever, that may be ordered by the House to be printed, from time to time, for the use of Members, be sent to each of the Editors of the press of the City of Toronto, when ready for distribution, by the Clerk of the House.

PRINTED JOURNAL—PAGE 14.

December 6th, 1839.

Truly extracted from the Journals.

JAMES FITZGIBBON,
CLERK OF ASSEMBLY.



PROCLAMATION.

UPPER CANADA.

G. ARTHUR.

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

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

Proclamation proroguing Provincial Parliament to 23d July.

GREETING:

WHEREAS our Provincial Parliament stands prorogued to Thursday, the thirteenth day of June, instant, at which time, at our City of Toronto, you were held and constrained to appear :

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

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

By command of His Excellency in Council.

G. A.

C. A. HAGERMAN,
Attorney General.

R. A. TUCKER,
Secretary.

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

Proclamation proroguing Provincial Parliament to 2d September.

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

Proclamation proroguing Provincial Parliament to 12th October.

Proclamation.

Proclamation proroguing Provincial Parliament to 21st November.

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



PROCLAMATION.

UPPER CANADA.

G. ARTHUR.

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

Proclamation convening Provincial Parliament on 3d December.

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

GREETING:

WHEREAS by our Proclamation bearing date the eighth day of October, now last past, We thought fit to prorogue our Provincial Parliament to Thursday, the twenty-first day of November, now next ensuing, at which time, at our City of Toronto, you were held and constrained to appear:

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

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

G. A.

By Command of His Excellency in Council.

C. A. HAGERMAN,
Attorney General.

R. A. TUCKER,
Secretary.

JOURNAL.

5th Session 13th Parliament, 3d Victoria, [Dec. 3, 1839.]

HOUSE OF ASSEMBLY,

TUESDAY, 3d December, 1839.

The House met.

At two of the clock, P. M., Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, came to the Bar of the House and delivered the commands of His Excellency the Governor General, for the immediate attendance of the House at the Bar of the Legislative Council Chamber, and withdrew.

House summoned by Black Rod to attend at Bar of Leg. Council.

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

House returns.

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

Mr. Speaker reports Speech of His Excellency the Governor General at opening of Session.

The Speech was then read as follows:—

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

In discharge of the duties of GOVERNOR-GENERAL of British North America, confided to me by our Gracious SOVEREIGN, I have deemed it advisable to take the earliest opportunity of visiting this Province, and of assembling Parliament.

Speech.

I am commanded by the QUEEN to assure you of Her Majesty's fixed determination to maintain the connexion now subsisting between Her North American Possessions and the United Kingdom, and to exercise the high authority with which She has been invested, by the favor of Divine Providence, for the promotion of their happiness, and the security of Her Dominions.

It is with great satisfaction I can inform you, that I have no grounds for apprehending a recurrence of those aggressions upon our frontier, which we had lately to deplore, and which affixed an indelible disgrace on their authors.

If, however, unforeseen circumstances should again call for exertion, I know from the past, that in the zeal and loyalty of the People of Upper Canada, and in the protection of the Parent State, we possess ample means of defence, and to those I should confidently appeal.

I earnestly hope, that this state of tranquillity will prove favorable to the consideration of the important matters, to which your attention must be called during the present Session.

It will be my duty to bring under your consideration, at the earliest possible moment, the subject of the Legislative Re-union of this Province with Lower Canada—recommended by Her Majesty to the Imperial Parliament. I shall do so in the full confidence, that you will see, in the measure which I shall have to submit, a fresh proof of the deep interest felt by the Queen, in the welfare of Her Subjects in Upper Canada; and that it will receive from you that calm and deliberate consideration, which its importance demands.

The condition of the Public Departments in the Province, will require your best attention. In compliance with the Address of the House of Assembly of last Session, the Lieutenant Governor

Speech.

appointed a Commission to investigate and report upon the manner in which the duties of those Departments are performed. The Commissioners have already conducted their inquiries to an advanced stage; and the result of them will be communicated to you, as soon as they shall be completed.

I am happy to inform you, that Her Majesty's Government have concluded an arrangement for opening a communication by Steam, between Great Britain and the British Possessions in North America. In the completion of this arrangement, Her Majesty's Government have allowed no consideration to interfere with the paramount object of conducing to the public advantage and convenience. I feel confident that the liberality, with which the Parent State has assumed the whole expense of the undertaking, will be duly appreciated by you.

The answers of Her Majesty to the various Addresses, adopted by you during your last Session, and Her Majesty's decisions on the Bills passed by you, but reserved for the signification of Her Royal pleasure, will be made known to you without loss of time.

Gentlemen of the House of Assembly:

The financial condition of the Province will claim your early and most attentive consideration. To preserve public credit, is at all times a sacred obligation; but in a country so essentially dependent upon it for the means of future improvement, it is a matter no less of policy than of duty. It is indispensable, then, that measures should be at once adopted, for enabling the Provincial Revenue to fulfil its obligations, and to defray the necessary expenses of the Government. It will be my anxious desire to co-operate with you in effecting this object; and I feel confident that, by the adoption of measures calculated to promote the full development of the resources of this fine country, the difficulty may be overcome. The officer by whom, under your authority, these obligations have been contracted, will be able to afford you every information; and I shall direct a statement of your financial condition to be immediately submitted to you.

The estimates for the ensuing year will be prepared with every regard to economy, compatible with the due execution of the service of the Province.

It is with great satisfaction I find, that, notwithstanding Commercial difficulties which prevail in the neighbouring States, the Banks of this Province have resumed Specie Payments; and I congratulate you upon the guarantee thus afforded of the greater security and stability of our pecuniary transactions—a circumstance which cannot fail to be attended with the most beneficial results.

I am commanded again to submit to you the surrender of the Casual and Territorial Revenue of the Crown, in exchange for a Civil List; and I shall take an early opportunity of explaining the grounds on which Her Majesty's Government felt precluded from assenting to the settlement which you lately proposed. They are of a nature which lead me to anticipate your ready assent to their removal, and to the final settlement of the question.

Honourable Gentlemen; and Gentlemen:

In assuming the Administration of the Government of these Provinces, at the present time, I have not disguised from myself the arduous task which I have undertaken. The affairs of the Canadas have, for some years back, occupied much of the attention of the Imperial Parliament, and of the Government; and their settlement upon a firm and comprehensive basis admits of no further delay.

To effect that settlement, upon terms satisfactory to the people of these Provinces, and affording security for their continued connexion with the British Empire, will be my endeavour; and I confidently appeal to your wisdom, and to the loyalty and good sense of the people of this Province, to co-operate with me for the preparation and adoption of such measures as may, under Divine Providence, restore to this country peace, concord and prosperity.

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

Ordered—That the Clerk be directed to pay the postage on all letters not exceeding one ounce in weight, and on printed papers to and from Members of this House, during the present Session, and charge the same to the contingencies, provided, that when petitions to this House are enclosed, the postage thereon shall be paid without restriction as to weight.

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

Ordered—That one thousand copies of the Speech of His Excellency the Governor General, at the opening of the present Session, be printed for the use of Members.

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

Ordered—That the Speech of His Excellency the Governor General, this day delivered to both Houses of the Provincial Legislature, be referred to a Committee of the whole House to-morrow.

Postage to and from Members to be charged in contingencies of the House.

One thousand copies of the Speech to be printed.

Committee of whole on His Excellency's Speech to-morrow.

Mr. Thorburn gives notice that he will, on to-morrow, move for leave to bring in a bill to appoint Commissioners for "taking, examining, and stating the Public Accounts of this Province," with full power to examine public books or papers, and to take evidence, touching the same, from any person or persons they may deem necessary, under oath.

Notices:
Of bill to appoint Commissioners for taking, &c. the Public Accounts.

Mr. Thorburn gives notice that he will, on Monday next, move for leave to bring in a bill to explain the Act 6 William IV, ch. 4, regulating the manner of licensing Public Houses.

Of bill to explain Act licensing Public Houses.

Mr. Thorburn gives notice that he will, on Friday next, move for leave to bring in a bill to extend the time for completing the Erie and Ontario rail road.

Of bill to extend time for completing Erie and Ontario rail road.

Mr. Hotham gives notice that he will, on to-morrow, move for leave to bring in a bill to revive and make perpetual an Act passed in the fourth year of His late Majesty's reign, entitled, "An Act granting to His Majesty a duty on licenses to Auctioneers, and on goods, wares, and merchandize sold by auction."

Of bill to revive and make perpetual the Auctioneer License Act.

Mr. Gowan gives notice that he will, on to-morrow, move for the appointment of a select committee, to take into consideration the propriety of making further compensation for Jurors attending the Courts of Assize and Nisi Prius, and Oyer and Terminer and General Gaol delivery, and also the several District Courts within this Province, than is at present provided for them by law, and that said committee have power to report by bill or otherwise.

Of committee to report on propriety of making further compensation to Jurors.

Mr. Thomson gives notice that he will, on to-morrow, move for leave to bring in a bill to alter the manner of holding the elections within this Province.

Of bill to alter the manner of holding elections within this Province.

Mr. Thomson gives notice that he will, on to-morrow, move for leave to bring in a bill to facilitate the improvement of the roads leading to the back settlements.

Of bill to facilitate improvement of roads leading to back settlements.

Mr. Sherwood gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend the registry laws of this Province.

Of bill to alter and amend the registry laws of this Province.

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

Of bill to make legal certain deeds of conveyance.

Mr. Murney gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying His Excellency to send down to this House the return of the population of the town of Belleville.

Of address to Gov. Gen. for population of Belleville.

Mr. Murney gives notice that he will, on Thursday next, move for leave to bring in a bill to alter and amend the act authorising the county of Hastings to be formed into a separate district.

Of bill to amend the Dist. of Hastings' act.

Mr. Murney gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend the act for the destruction of wolves in this Province.

Of bill for the destruction of Wolves.

Mr. Murney gives notice that he will, on Saturday next, move for leave to bring in a bill requiring plaintiffs to give security for costs.

Of bill to require Plaintiffs to give security for costs.

Mr. Robinson gives notice that he will, on Monday next, move for leave to bring in a bill to establish a board of works in this Province.

Of bill to establish a Board of Works.

Mr. Morris gives notice that he will, on to-morrow, move for a select committee to superintend the printing of this House during the present session.

Of committee to superintend the Printing of the House.

Adjourned.

WEDNESDAY, 4th December, 1839.

The House met.

The minutes of yesterday were read.

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

Petitions brought up.

By Mr. Bockus, the petition of Asa Werden, and one hundred and seven others, of the township of Hallowell, (Prince Edward.)

Of A. Werden and 107 others.

Of Jno. Campbell.

By Mr. Rykert, the petition of John Campbell, of the township of Grantham, (Lincoln.)

Of W. J. Gilbert and 7 others.

By Mr. Aikman, the petition of W. J. Gilbert, and seven others, contractors for macadamizing the Hamilton and Brantford road.

Of Geo. Adams and 27 others.

And by Mr. Rykert, the petition of George Adams, and twenty-seven others, of the District of Niagara.

Notices :

Of bill to alter and amend act establishing Boards of Boundary Line Commissioners.

Mr. Rykert gives notice that he will on Monday next, move for leave to bring in a bill to alter and amend the Act entitled "An Act to authorise the establishment of boards of boundary line commissioners within the several districts of this Province.

Of bill to permit solicitors and attorneys of the Courts of Equity & Law in Great Britain, to practise in the respective Courts in this Province.

Mr. Gowan gives notice that he will on Wednesday next, move for leave to introduce a bill to permit Solicitors of the high Court of Chancery in England, and also Attornies of the superior Courts of Law in Great Britain and Ireland, to practise as Solicitors and Attornies respectively in the Courts of Equity and Law in this Province.

Of committee to consider the assessment laws—and the best mode of increasing tax on wild lands.

Mr. Gowan gives notice that he will, on to-morrow, move for the appointment of a select committee, to take into consideration the assessment Laws of this Province, with a view to a more equitable rate than at present exists by Law, and that the said committee be instructed to inquire into the best mode of increasing the tax on wild and uncultivated lands, for the improvement of roads and bridges.

Of bill to compel persons on oath elections to state their length of residence in the Province.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a bill to require certain persons taking the Oath of Allegiance to make oath respecting their residence in this Province.

Of bill to disqualify certain persons from being candidates and voting at elections.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a bill to disqualify certain persons from being candidates or from voting at Elections in this Province, for members of the House of Assembly.

Of bill to extend the period for the sale of lands for debt.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a bill to extend the period within which lands may be sold for the satisfaction of debts.

Of bill to increase assessment of Mid. Dist. to build wall around Gaol and Court House, &c.

Mr. Marks gives notice that he will, on Monday next, move for leave to bring in a bill to increase the assessed rates of the Midland District, one penny in the pound, for a limited period, for the purpose of building a wall round the Gaol and Court House, and for paying off the District debt.

Of bill to prevent Sheriff's sitting in House of Assembly, in certain cases.

Mr. McIntosh gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent sheriffs from representing in the House of Assembly any part of the District for which they shall be sheriff.

Of bill to amend act for erecting a Lunatic Asylum.

Mr. Manahan gives notice that he will, on Monday next, bring in a bill to amend the Act authorising the erection of a Lunatic Asylum in this Province, so as to determine the place where the said Asylum is to be erected.

Of bill to amend King's College Charter act.

Mr. Manahan gives notice that he will, on Monday next, ask leave to bring in a bill to repeal the Act passed in the first session of the present Parliament, entitled "An Act to amend the charter of the University of King's College," by which Act the said College was endowed with lands which ought by law to be appropriated to the establishment of Grammar Schools throughout this Province.

Of committee to inquire into system of management of Penitentiary.

Mr. Manahan gives notice that he will, on Thursday next, move for a special committee to inquire into the system of management adopted in the Provincial Penitentiary, and into the manner in which that system is carried out, under direction of the Board of Inspectors, by the officers appointed to that establishment.

Of address to Her Majesty on the subject of the Penny Postage, and on Newspaper Postage, a perquisite of the Post Master Gen.

Mr. Manahan gives notice that he will, on Friday next, move that an humble address be presented to the Queen, praying Her Majesty to be graciously pleased to direct such measures to be taken by Her Ministers as will cause the Imperial Parliament to extend to the British colonies in North America, the full benefit of the penny postage law now in force in the United Kingdom. And that with reference to the address of this House on the subject of newspaper postage, in which address the House omitted through inadvertence to pray Her Majesty to make reasonable recompense by increase of salary to the Deputy Post Master General for the reduction of his income to a non-remunerating sum, if Her Majesty grants the prayer of Her faithful Commons,—That Her Majesty would be further graciously pleased to increase the salary of the Deputy Post Master General to a

reasonable sum to indemnify him for losses and remunerate the services he faithfully renders in the discharge of his arduous duties.

Mr. Manahan gives notice that he will, on Monday next, move that an humble address be presented to His Excellency, the Governor General, praying that His Excellency will direct that the school land reservations in the townships of Bedford and Sheffield in the Midland District be withdrawn, and that other reservations in lieu thereof be made in the unsurveyed township now called Clarendon, in the said district, as those reservations have proved a great hindrance to the settlement of the said district; and further, that His Excellency would be graciously pleased to direct that the ungranted lands in the rear townships of the Midland district, and district of Victoria, be open for location for actual settlements, or set up for sale at an upset price of four shillings per acre.

Of address to Gov. Gen. on the subject of School Lands reservations in Bedford & Sheffield.

Mr. Manahan gives notice that he will, on Friday next, move that an humble address be presented to His Excellency the Governor General, praying His Excellency to issue a commission of investigation, to consist of some five honorable patriotic and talented gentlemen, entirely disconnected with any party formerly or at present in office, to enquire into all the public affairs of this Province, with the view of fully ascertaining how those affairs have been hitherto conducted, whether to the public good and advantage or not, whether defalcations in the public monies exist, and if so, with whom and to what amount such defalcations have occurred. And that His Excellency be further prayed to institute these enquiries with the least possible delay, so that a report of its proceedings may be transmitted by His Excellency to be laid before the Imperial Parliament pending its next session, that such measure of responsibility as the Imperial government may deem requisite may be introduced into the constitutional act uniting the Provinces of Upper and Lower Canada.

Of address to Gov. Gen. to institute a commission to enquire into public departments.

Mr. Richardson gives notice that he will, on Friday next, move for leave to bring in a bill to amend the law relating to the distribution of District Funds.

Of bill to amend the act relating to distribution of district funds.

Mr. Richardson gives notice that he will, on Monday week, move for leave to bring in a bill to amend the act regulating the Courts of Request in this Province.

Of bill to amend the Court of Requests act.

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

Of bill to abolish imprisonment for debt in this Province.

Pursuant to the order of the day, the House was put into a committee of the whole on the consideration of the Speech of His Excellency the Governor General at the opening of the present session.

House in committee on His Exc'y's Speech at opening of present session.

Mr. Thomson in the chair.

The House resumed.

The chairman reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the house.

Resolutions reported.

The report was received.

The first resolution was put and carried *nem. con.*, as follows:—

First resolution carried *nem. con.*

Resolved—That an humble address be presented to His Excellency the Governor General, thanking him for his speech from the Throne, at the opening of the present Session, congratulating His Excellency on his arrival, as the Representative of our most gracious Sovereign, and expressing our confidence that the appointment of a member of the Cabinet, to administer the Government of these Colonies, indicates the anxiety of Her Majesty to remedy the past disorders of the Canadas, and to restore peace and tranquillity therein.

P R E S E N T .

Messrs. Aikman, Attorney General, Boulton, Burrill, Burwell, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Ferrie, Gamble, Gowan, Malloch, Manahan, Marks, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Morris, Murney, Parke, Powell, Richardson, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff.

Members present.

Second resolution carried.

The second resolution was put and carried as follows :—

Resolved—That we receive with gratitude, the assurance of Her Majesty's fixed determination to maintain the connexion, now existing, between her North American possessions, and the United Kingdom, and to exercise the high authority, with which she has been invested, by the favor of Divine Providence, for the promotion of their happiness and the security of her dominions.

Third resolution put.

The third resolution was put as follows :—

Resolved—That we are happy to be informed, that His Excellency has no grounds for apprehending a recurrence of those aggressions on our frontier, which we have had lately to deplore, and which we entirely concur with His Excellency, have affixed an indelible disgrace on all connected with them, and we beg to assure His Excellency, that an appeal to the loyalty and zeal of Her Majesty's faithful subjects in this Province, to repel unjust and hostile aggression, will never be made in vain.

Amendment.

In amendment—Mr. Gamble, seconded by Mr. Robinson, moves, that all after the word "Resolved," be expunged, and the following inserted, "That while this House rejoice that His Excellency has the great satisfaction of informing us, that he has no grounds for apprehending a re-currence of those aggressions upon our frontier, which we had lately to deplore, and which affixed an indelible disgrace on their authors, they cannot conceal from His Excellency, their conviction, that the adoption of more prompt measures by Her Majesty's Ministers at the very outset of these aggressions, would have effectually prevented their renewal and that to their ill-timed forbearance, are chiefly attributable the subsequent violations of Her Majesty's territory, the murder of her loyal subjects, and the destruction of their property, and that this House cannot but regard the insisting upon due reparation for the past, from that foreign power, whose citizens have perpetrated these outrages, as the best guarantee for our future security."

Division on amendment.

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

Y E A S .

Yeas 7.

Messrs. *Burwell, Caldwell, Gamble, Gowan, Murney, Richardson, Robinson*—7.

N A Y S .

Nays 38.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burritt, Chisholm of Halton, Chisholm of Glengarry, Cook, Dellar, Duncombe, Ferrie, Hotham, Kearnes, Lewis, Malloch, Manahan Marks, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Thorburn, Woodruff*—38.

Amendment lost—majority 31.

The question of amendment was decided in the negative by a majority of thirty-one, and the resolution was adopted.

Resolutions carried.

The following resolutions were then severally put and carried :—

4th Resolution.

4. *Resolved*—That we will gladly avail ourselves of the state of tranquillity at present existing in the Province to direct our attention to such important matters as may be brought under our notice during the present session.

5th Resolution.

5. *Resolved*—That this House will give their careful consideration to the subject of the Legislative Re-union, of this Province with Lower Canada, which has been recommended by Her Majesty to the Imperial Parliament, and will devote to it that calm deliberation which its importance demands.

6th Resolution.

6. *Resolved*—That the condition of the Public Departments in this Province, shall receive our best attention, and we are happy to hear that the enquiry of the Commission, appointed by His Excellency the Lieutenant Governor, has been carried to an advanced stage, and that as soon as the result shall be communicated, it shall receive our most careful consideration.

7th Resolution.

7. *Resolved*—That we are gratified to be informed, that Her Majesty's Government have concluded an arrangement for opening a communication by steam, between Great Britain and Her North American Possessions—and we beg to assure His Excellency, that the liberality of the Parent State in assuming the whole expense of this undertaking, is duly appreciated by us.

8th Resolution.

8. *Resolved*—That we shall receive with respectful consideration the answers, of Her Majesty, to the various Addresses adopted by this House during the last Session—as well as Her Majesty's decision on the bills passed by us, but reserved for the signification of the Royal Pleasure thereon.

9. *Resolved*—That this House will devote its early and attentive consideration to the financial condition of the Province. 9th Resolution.

10. *Resolved*—That we are sensible of the obligation we are under, to preserve public credit—that in this country, more especially, it is a matter no less of policy than of duty, and we shall endeavour to adopt such measures, as will enable the Provincial revenue to fulfil its obligations, and to defray the necessary expenses of Government. 10th Resolution.

11. *Resolved*—That we shall cheerfully avail ourselves of the co-operation of His Excellency, to promote the full developement of the resources of the country, and to overcome our financial difficulties. 11th Resolution.

12. *Resolved*—That we will carefully examine the statement of our financial condition, when laid before us, as well as the estimates for the ensuing year, which we are gratified to learn will be prepared with every regard to economy, compatible with the due execution of the service of the Province. 12th Resolution.

13. *Resolved*—That we are truly rejoiced to learn that the resumption of specie payments by the Banks, has taken place, and we hope that the guarantee thus afforded of the security and stability of our pecuniary transactions, will be attended with the most beneficial results. 13th Resolution.

14. *Resolved*—That the surrender of the Casual and Territorial Revenue of the Crown in exchange for a Civil List, will receive our consideration, and on being informed of the grounds on which Her Majesty's Government felt precluded from assenting to the settlement which we lately proposed, we shall use our best exertions for the final settlement of the question. 14th Resolution.

15. *Resolved*—That we rejoice to hear it announced by His Excellency, that the Imperial Parliament and Her Majesty's Government have recommended the settlement of the affairs of the Canadas upon a firm and comprehensive basis; and we fully concur in the opinion expressed, that they admit of no further delay; and in assuming the administration of the Government of these Provinces, we are fully sensible that the task, which His Excellency has undertaken, is most arduous; but we nevertheless rely on His Excellency's using every exertion to effect that settlement, upon terms satisfactory to the people of these Provinces, and which will afford security for their continued connexion with the British Empire; and His Excellency may confidently rely on this House, and on the loyalty and good sense of the people of this Province, to co-operate with him for the preparation and adoption of such measures as may, under divine Providence, restore to this country peace, concord and prosperity. 15th Resolution.

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

Ordered—That the Resolutions adopted by this House, in committee upon His Excellency's Speech from the Throne, be referred to a select committee consisting of Messrs. Merritt and Rykert, to draft and report an address thereon. Resolutions referred to com. to report address.

Mr. Merritt, from the committee to draft an address to His Excellency the Governor General, pursuant to the above resolutions, reported a draft. Com. report draft.

The report was received, and the address was read the first time. Address read first time.

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

Pursuant to notice, Mr. Gowan, seconded by Mr. Powell, moves that a select committee be appointed to inquire into the best and most efficient mode of providing more ample compensation than is at present allowed by law for Jurors attending the Courts of Assize and Nisi Prius, Oyer and Terminer, and General Gaol Delivery, and also the several District Courts within this Province, with power to report by bill or otherwise, and that Messrs. Ruttan, Morris, Small and Detlor, do compose said committee. Second reading to-morrow. Com. appointed to inquire into the best mode of providing more ample compensation for Jurors.

Which was carried and ordered.

Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves for leave to bring in a bill to alter the manner of holding the elections in the several counties and ridings throughout the Province. Bill to alter the manner of holding elections brought in.

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

Ordered—That the bill be read a second time to-morrow. 2d reading tomorrow.

Pursuant to notice, Mr. Murney, seconded by Mr. Manahan, moves that it be resolved that an humble address be presented to His Excellency the Governor General, requesting His Excellency to transmit, for the information of this House, such a return Address ordered to his Exc'y the Gov. Gen. for return of population of town of Belleville.

of the population of the town of Belleville as may have been transmitted to the Government Office, and that Messrs. Manahan and Morris be a committee to draft and report the address.

Which was carried and ordered.

Com. appointed to superintend the Printing.

Pursuant to notice, Mr. Morris, seconded by Mr. Gowan, moves that Messrs. Rykert, Gamble, Thomson, and Boulton, be a committee to superintend the printing of this House during the present session.

Which was carried and ordered.

On motion of Mr. Sherwood, seconded by Mr. Chisholm of *Hallon*,

Chartered Banks to send in statements of their affairs.

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

Adjourned.

THURSDAY, 5th December, 1839.

The House met.

The minutes of yesterday were read.

Mr. Speaker reports illness of Sergeant-at-Arms—& appointment of deputy.

Mr. Speaker reported that the Sergeant-at-Arms was prevented, by indisposition, from attending his duties in the House, and had therefore appointed, as his deputy, Andrew Stuart, Esquire.

Of bill to compel certain persons to perform statute labor.

Mr. Aikman gives notice that he will, on Monday next, move for leave to bring in a bill to declare the power of Magistrates to compel persons over twenty-one years of age, not assessed, to perform statute labor.

Of com. on that part of the Speech, on the subject of the condition of the public departments.

Mr. Small gives notice that he will, on to-morrow, move that so much of the speech of His Excellency the Governor General as declares "The condition of the Public Departments in the Province will require your best attention" be referred to a select committee with power to send for persons and papers and to report thereon. And that Messrs Thorburn, Merritt, Bockus and Ferrie, do compose said committee.

Of address to Her Majesty on allowing importation of Tea from U. States, on payment of duties.

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

Of bill to levy additional tax on inhabitants of new District of Dalhousie.

Mr. McKay gives notice that he will, on to-morrow, move for leave to bring in a bill authorising the levying of a tax of a penny on the pound on each inhabitant householder in the new District of Dalhousie, for the purpose of building the Gaol and Court House in Bytown.

Of committee on the contingencies of the Legislature.

Mr. Bockus gives notice that he will, on to-morrow, move that a select committee be appointed to examine and report on the contingent expenses of the Legislature.

Of bill to render lands in hands of Executors, more available for debt.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to render lands in the hands of Executors and Administrators more available for the satisfaction of debts.

Of bill to alter the law of dower.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to alter the law of Dower, and to provide more effectual means for its recovery.

Address in answer to Speech at opening of Session, read 2d time.

Pursuant to the order of the day, the address to His Excellency the Governor General, in answer to his Excellency's Speech at the opening of the present session, was read the second time.

Mr. McKay, seconded by Mr. Merritt, moves that the answer to the Speech of His Excellency the Governor General, be read a third time forthwith.

Address to be read 3d time forthwith.

Which was carried, and the address was ordered to be engrossed, and read a third time forthwith.

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

Election bill read 2d time.

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

Committed.

Mr. Shaver in the chair.

The House resumed.

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

Progress reported—sit again tomorrow.

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Manahan, seconded by Mr. McIntosh, moves that a special committee be appointed to inquire into the rules, regulations, and by-laws established for the management of the Provincial Penitentiary,—into the manner after which those rules and regulations are carried into effect, under the direction of the Board of Inspectors, by the officers appointed to that establishment,—into all its fiscal affairs,—and into such other matters as they may deem it expedient and fit to inquire, in connexion with that establishment,—with leave to send for persons and papers,—and that Messrs. Gowan, Ruttan, Parke, Thorburn and Morris do compose that committee.

Committee appointed to inquire into the management of the Provincial Penitentiary.

Which was carried and ordered.

Mr. Murney, from the Committee to draft an address to His Excellency the Governor General, praying for a return of the population of the town of Belleville, reported a draft.

Address reported for return of population of town of Belleville.

The report was received, and the address was read the first time.

Address read first time.

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

2d reading tomorrow.

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

Communication reported from Clerk of the House.

CLERK OF ASSEMBLY'S OFFICE,
5th December, 1839.

The Clerk of Assembly has the honor to report to the Honorable the Speaker, that Samuel McMurray, late a Copying Clerk in the Clerk's Office, departed this life during the recess, and the Clerk begs leave to nominate Charles FitzGibbon to fill the vacancy thus made.

The Clerk reports the death of S. McMurray, late a copying Clerk, and nominates C. FitzGibbon to succeed him.

Mr. Speaker then expressed his approval of the nomination, and the House assented to the appointment.

The nomination confirmed.

Pursuant to the order of the day, the address to His Excellency the Governor General, in answer to His Excellency's Speech at the opening of the present session, was read the third time and passed *nem. con.* and is as follows:—

Address to His Exc'y the Governor General read third time and passed, *nem. con.*

To His Excellency the Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your Speech from the Throne at the opening of the present Session, and to congratulate Your Excellency on Your arrival in this Province as the Representative of Our Most Gracious Sovereign, and also to express Our confidence, that the appointment of a member of the Cabinet, to administer the Government of these Colonies, indicates the anxiety of Her Majesty to remedy the past disorders of the Canadas, and to restore peace and tranquillity therein.

Address.

We receive with gratitude the assurance of Her Majesty's fixed determination to maintain the connexion now existing between Her North American Possessions and the United Kingdom, and to exercise the high authority with which She has been invested, by the favor of Divine Providence, for the promotion of their happiness, and the security of Her Dominions.

We are happy to be informed that Your Excellency has no grounds for apprehending a recurrence of those aggressions on our frontier, which we have had lately to deplore, and which we entirely concur with Your Excellency, have affixed an indelible disgrace on all connected with them—and we beg to assure Your Excellency, that an appeal to the loyalty and zeal of Her Majesty's faithful subjects in this province, to repel unjust and hostile aggression, will never be made in vain.

Address.

We will gladly avail ourselves of the state of tranquillity at present existing in the Province, to direct our attention to such important matters as may be brought under our notice during the present Session.

We will give our careful consideration to the subject of the Legislative Re-union of this Province with Lower Canada—which has been recommended by Her Majesty to the Imperial Parliament, and will devote to it that calm deliberation which its importance demands.

The condition of the Public Departments in this Province shall receive our best attention, and we are happy to hear, that the inquiry of the Commission appointed by His Excellency the Lieutenant Governor, has been carried to an advanced stage; and that as soon as the result of it shall be communicated, it shall receive our most careful consideration.

We are gratified to be informed that Her Majesty's Government have concluded an arrangement for opening a communication by Steam, between Great Britain and Her North American Possessions; and we beg to assure Your Excellency, that the liberality of the Parent State, in assuming the whole expense of the undertaking is duly appreciated by us.

We shall receive with respectful consideration the answers of Her Majesty to the various Addresses, adopted by this House during the last Session, as well as Her Majesty's decision on the Bills passed by us, but reserved for the signification of the Royal pleasure thereon.

We will devote our early and attentive consideration to the financial condition of the Province.

We are sensible of the obligation we are under, to preserve public credit, and that in this country more especially, it is a matter no less of policy than of duty, and we shall endeavor to adopt such measures as will enable the Provincial revenue to fulfil its obligations, and to defray the necessary expenses of Government, and cheerfully avail ourselves of the co-operation of Your Excellency to promote the full development of the resources of this country, and to overcome our financial difficulties.

We will carefully examine the statement of our financial condition, when laid before us, as well as the estimates for the ensuing year, which we are gratified to learn will be prepared with every regard to economy, compatible with the due execution of the service of the Province.

We are truly rejoiced to learn, that the resumption of specie payments by the Banks has taken place, and we hope that the guarantee thus afforded of the security and stability of our pecuniary transactions, will be attended with the most beneficial result.

The surrender of the Casual and Territorial Revenue of the Crown, in exchange for a Civil List, will receive our consideration, and on being informed of the grounds on which Her Majesty's Government felt precluded from assenting to the settlement which we lately proposed, we shall use our best exertions for the final settlement of the question.

We rejoice to hear it announced by Your Excellency, that the Imperial Parliament and Her Majesty's Government have recommended the settlement of the affairs of the Canadas upon a firm and comprehensive basis, we fully concur in the opinion expressed, that they admit of no further delay; and in assuming the administration of the Government of these Provinces, we are fully sensible that the task which Your Excellency has undertaken is most arduous; but we nevertheless rely on Your Excellency using every exertion to effect that settlement upon terms satisfactory to the people of these Provinces, and which will afford security for their continued connexion with the British Empire; and your Excellency may confidently rely on this House, and on the loyalty and good sense of the people of this Province, to co-operate with Your Excellency for the preparation and adoption of such measures as may, under Divine Providence, restore to this country, peace, concord and prosperity.

ALLAN. N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Fifth day of December, 1839. }

P R E S E N T :

Members present.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Cartwright, Chisholm of Glengarry, Cook, Duncombe, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Malloch, Manahan, Marks, McCargar, McIntosh, McKay, McMicking, Merritt, Morris, Murney, Parke, Powell, Richardson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff.*

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

Ordered—That Messrs. Draper and Maiks be a committee to wait upon His Excellency, the Governor General, to know when he will be pleased to receive the address, in answer to the speech delivered from the throne.

Pursuant to notice Mr. McIntosh, seconded by Mr. Small, moves for leave to bring in a bill to prevent Sheriffs from representing, in the House of Assembly, any part of the District for which they shall be Sheriff.

Committee to wait on His Excellency to learn when he will receive the House with the address.

Bill to prevent Sheriffs sitting in the House in certain cases brought in.

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

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

Bill read first time.

2d reading tomorrow.

Mr. Solicitor General, from the committee to wait on His Excellency the Governor General, to know when His Excellency will be pleased to receive the House with its address, in answer to His Excellency's speech at the opening of the present Session, reported that His Excellency would receive the same at one o'clock, P. M., to-morrow, at the Government House.

His Excellency will receive the House with address in answer to Speech tomorrow at 1 o'clock, P. M.

Adjourned.

FRIDAY, 6th December, 1839.

The House met.

The minutes of yesterday were read.

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

Petitions brought up.

By Mr. Gowan, the petition of Abraham Acton.

Of Abraham Acton.

And by Mr. Ruttan, the petition of Henry Smith, Warden of the Provincial Penitentiary.

Of H. Smith.

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

Petitions read.

Of Asa Werden, and one hundred and seven others, of the township of Hallowell, Prince Edward, praying for a division of said township.

Of A Werden and 107 others.

Of John Campbell, of the township of Grantham, Lincoln, praying that his pension may be restored.

Of Jno. Campbell.

Of W. J. Gilbert, and 7 others, contractors for Macadamizing the Hamilton and Brantford road, praying that the amount due on their contracts may be paid them.

Of W. J. Gilbert and 7 others.

And of George Adams, and twenty-seven others, of the District of Niagara, praying for the establishment of a Bank at the village of St. Catharines.

Of G. Adams and 27 others.

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

Petitions referred.

Ordered—That the petition of John Campbell be referred to a select committee, composed of Messrs. Woodruff and Thorburn, with power to report thereon by bill or otherwise.

Of Jno. Campbell to select committee.

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

Ordered—That the petition of Geo. Adams, Esq., and others, be referred to a select committee composed of Messrs. Merritt and Woodruff, with power to report thereon, by bill or otherwise.

Of G. Adams and others to select committee.

Mr. Hotham gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend the law for the punishment of persons enticing soldiers, &c., to desert Her Majesty's service.

Notices :

Of bill to amend the act punishing persons enticing soldiers to desert.

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

Of committee on expiring laws.

Mr. Gowan gives notice that he will, on to-morrow, move that the thanks of this House, be presented to the Right Honorable Lord John Russell, Her Majesty's principal Secretary of State for the Colonies, for the sentiments contained in his Lordship's despatch, "Dated Downing Street, 16th Oct., 1839," and published in a supplement to the Upper Canada Gazette, of Thursday, the 5th December, 1839, and addressed to His Excellency the Lieutenant Governor of this Province—sentiments which this House has no reason to doubt, will be fully carried out, and which will enable the people of this loyal, but distracted Colony, hereafter to enjoy the practical benefits and blessings of that constitutional Responsibility, enjoyed by our fellow subjects in Great Britain, and which must prove the surest and safest guarantee, for the future peace and prosperity of the colony, and the maintenance of its "eternal connexion" with the parent state.

Of expression of thanks to the Rt. Hon. Lord Jno. Russell, for his despatch, dated 16th October, 1839.

Mr. Shade gives notice that he will, on Monday next, move for leave to bring in a bill to add certain townships to the County of Huron.

Of bill to add certain townships to county of Huron.

Of bill to levy an additional tax of 1d. in the pound on the inhabitants of the county of Huron.

Mr. Shade gives notice that he will, on Monday next, move for leave to bring in a bill to levy an additional tax of one penny in the pound on the inhabitants, householders in the County of Huron, for the purpose of erecting a Court House and Gaol in said county.

Of bill for better manner of granting Tavern Licences.

Mr. Gamble gives notice that he will, on Tuesday next, move for leave to bring in a bill for the better regulating the manner of granting Tavern licenses, and also licenses to the keepers of ale and beer houses.

Of bill to authorise the sale of Government Bank Stock.

Mr. Powell gives notice that he will, on Monday next, move for leave to bring in a bill to authorise the sale of the Government Stock in the Bank of Upper Canada.

For reading Journals of last session on petition of Dr. Dormer.

Mr. Manahan gives notice that he will, on to-morrow, move for the reading that part of the Journals of the last session that relates to the petition of Doctor Dormer.

Of address to His Exc'y for reply of Her Majesty to bill of last session remunerating sufferers by late insurrection.

Mr. Caldwell gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House if any and what reply has been made by Her Majesty, to the bill passed last session for remunerating the sufferers during the late attempt at insurrection in this Province.

Of address to Gov. Gen. for copy of Lord Russell's despatch of date of 5th Dec.

Mr. Parke gives notice that he will, on to-morrow, move an address to His Excellency the Governor General, that His Excellency will be pleased to lay before this House, a copy of Lord John Russell's Despatch, dated the 16th October, 1839, and published in a Supplement to the Upper Canada Gazette of the 5th of December instant.

Of committee of whole on granting a sum for payment of Reporters.

Mr. Gowan gives notice that he will, on to-morrow, move that this House resolve itself into a committee of the whole, for the purpose of granting a sum of money, to provide for the payment of such person or persons, as may furnish to the public press, a full, true, and faithful report of the debates of this house.

Of motion not to print the "Narrative" of Sir F. B. Head, in Appendix to Journals.

Mr. Gowan gives notice that he will, on to-morrow, move, that the "Narrative" of Sir Francis Bond Head, Baronet, transmitted to the Honorable the Speaker of this House during the last session, be not printed in the Appendix to the Journals of the same.

Bill to make valid certain deeds of conveyance brought in and read.

Pursuant to notice, Mr. Murney seconded by Mr. Manahan, moves, for leave to bring in a bill to make valid certain deeds of conveyance intended to convey real estate within this Province.

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

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

2d reading tomorrow.

Of com. to consider the assessment laws, and on increasing tax on wild lands.

Pursuant to notice Mr. Gowan seconded by Mr. McKay, moves, that a select committee be appointed to take into consideration the assessment laws of this Province, with a view to a more equitable rate than at present exists by law, and that the said committee be instructed to inquire into the propriety of increasing the tax on wild and uncultivated lands, for the improvement of roads and bridges, with power to report by bill or otherwise, and that Messrs. Marks, Lewis, Merritt and Parke, do compose said committee.

Which was carried and ordered.

Bill brought in to extend time for completing Erie and Ontario rail road.

Pursuant to notice Mr. Thorburn, seconded by Mr. McMicking, moves for leave to bring in a bill to extend the period for completing the Erie and Ontario Railroad.

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

Bill read.

2d reading to-morrow.

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

Bill brought in to appoint commissioners to investigate the public accounts.

Pursuant to notice, Mr. Thorburn, seconded by Mr. Morris, moves for leave to bring in a bill, to appoint commissioners to investigate the public accounts, and to report thereon from time to time to His Excellency the Governor or Lieutenant Governor, for the information of the Legislature.

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

Bill read.

2d reading to-morrow.

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

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

100 copies of the bill to be printed.

Ordered—That one hundred copies of the bill appointing commissioners to examine the public accounts be printed for the use of members.

Pursuant to notice, Mr. Richardson, seconded by Mr. Kearnes, moves for leave to bring in a bill to amend the laws now in force regulating the distribution of district funds. Bill brought in to regulate distribution of district funds.

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

On the question for the second reading of the bill to-morrow.

In amendment—Mr. Richardson, seconded by Mr. Kearnes, moves that the bill to amend the laws now in force regulating the distribution of District funds, be not read a second time to-morrow, but that the second reading be deferred until Monday week. Second reading Monday week.

Which was carried and ordered.

Pursuant to notice, Mr. McKay, seconded by Mr. Shade, moves for leave to bring in a bill, authorising the levying of a tax on the inhabitant householders in the new district of Dalhousie, for the purpose of building a Gaol and Court House. Bill brought in to levy additional tax in new district of Dalhousie.

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

Ordered—That the bill be read a second time to-morrow. 2d reading to-morrow.

Pursuant to notice, Mr. Bockus, seconded by Mr. Morris, moves that a select committee be appointed to examine and report on the contingent expenses of the Legislature, and that Messrs. Thorburn, Thomson, Malloch and Detlor do compose the same. Committee appointed on contingencies of Legislature.

Which was carried and ordered.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Election bill. Committee of whole on election bill.

Mr. Shaver in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again this day. Progress reported—sit again this day.

The report was received, and leave granted accordingly.

At one o'clock, p.m., the House waited on His Excellency the Governor General with its address, in answer to His Excellency's speech at the opening of the present session, and being returned, House waits on His Excellency with address in answer to speech.

Mr. Speaker reported the delivery of the same, and that His Excellency had been pleased to make thereto the following reply:— Reply of His Excellency reported.

GENTLEMEN OF THE HOUSE OF ASSEMBLY,

I thank you for this Address, and for your promise to co-operate with me in the measures necessary to promote the peace and prosperity of this Province. Reply.

Supported by you, and by the people of Upper Canada, I feel assured that I shall be enabled to overcome the difficulties by which we are surrounded.

Pursuant to the order of the day, the Address to His Excellency the Governor General, for a return of the population of Belleville, was read the second time. Address to His Excellency for return of population of Belleville read second time. Committed.

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

Mr. Gowan in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to prevent Sheriffs representing their districts in Parliament was read the second time. Sheriffs' representation bill read second time.

Division on commitment of bill.

On the question for the House to go into a committee of the whole on the bill, the yeas and nays were taken as follows:—

Y E A S .

Yeas—13.

Messrs. *Boulton, Chisholm* of Glengarry, *Cook, Gamble, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Parke, Shaver, Small, Thorburn, Woodruff*—13.

N A Y S .

Nays—24.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burrill, Caldwell, Cartwright, Chisholm* of Halton, *Dellor, Gowan, Kearnes, Lewis, Malloch, Marks, McKay, McLean, Morris, Richardson, Robinson, Rykert, Salmon, Shade, Thomson, Wickens*—24.

Question of commitment lost—majority 11.
House again in committee on election bill.

The question was decided in the negative by a majority of eleven.
Pursuant to the order of the day, the House was again put into a committee of the whole on the election bill.

Mr. Shaver in the chair.

The House resumed.

Bill amended.

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

The report was received.

On third reading to-morrow.
Amendment.

On the question for the third reading of the bill to-morrow.

In amendment—Mr. Small, seconded by Mr. Thomson, moves, that the bill be not engrossed and read a third time to-morrow, but that it be engrossed and read a third time on next Monday week, and that in the mean time one hundred copies be printed for the use of members.

3d reading election bill, Monday, 16th inst.

Which was carried, and the bill was ordered to be engrossed and read a third time on Monday, the 16th instant.

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

Standing Order:
One copy of all papers ordered to be printed to be sent to editors in Toronto.

Ordered—That the following be added as one of the standing rules of this House, That one copy of all bills, reports, addresses, or papers of any kind whatever, that may be ordered by the House to be printed, from time to time, for the use of Members, be sent to each of the Editors of the press of the city of Toronto, when ready for distribution, by the Clerk of the House.

Mr. Marks has leave of absence.

On motion of Mr. Dellor, seconded by Mr. McKay, leave of absence was granted to Mr. Marks for sixteen days, after to-morrow.

Adjourned.

SATURDAY, 7th December, 1839.

The House met.

The minutes of yesterday were read.

Notices:
Of address to His Excellency for answer to joint address of last session respecting Captain Drew.

Mr. Cartwright gives notice that he will, on Monday next, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House what answer, if any, has been given by Her Majesty to the joint address of both branches of the Provincial Legislature, respecting Captain Drew.

Of committee on roads and bridges.

Mr. Thomson gives notice that he will, on Monday next, move for the appointment of a committee on roads and bridges.

Of bill to amend the law of treason.

Mr. Sherwood gives notice that he will, on Tuesday next, move for leave to bring in a bill to alter and amend the law of treason in this Province.

Mr. Sherwood gives notice that he will, on Wednesday next, move that a select committee be appointed to examine and report upon the banking system in this Province, and upon the conduct and proceedings of the several chartered banks therein, with power to send for persons and papers.

Of committee on the banking system in the province.

Mr. Sherwood gives notice that he will, on Wednesday next, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House whether any communications have been received from Her Majesty's Principal Secretary of State for the Colonies, on the subject of Responsible Government, as recommended in the Report of the Earl of Durham, or as suggested in any other manner; and if any such despatches have been received, requesting that His Excellency would order copies of the same to be transmitted for the information of this House.

Of address to His Excellency for communications on the subject of responsible government.

Mr. Ruttan gives notice, in reference to the answer of His Excellency the Lieutenant Governor, on the 26th February, 1838, to an address of this House, respecting certain Crown Lands in Murray, that he will, on Monday next, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House whether the value of such lands has been ascertained, and, if so, what such value is.

Of address to His Excellency on the subject of crown lands in Murray.

Mr. Gamble gives notice that he will, on Wednesday next, move for leave to bring in a bill altering the times of holding the Quarter Sessions and District Court in the Home District.

Of bill to alter the time of holding Quarter Sessions in Home District.

Mr. Gamble gives notice that he will, on Monday next, move that an humble address be presented to His Excellency the Governor General, requesting him to lay before this House a copy of the bill submitted to the Imperial Parliament, during its last session, for the Union of the Provinces of Upper and Lower Canada.

Of address to His Excellency for copy of bill before Imperial Parliament on union of the provinces.

Pursuant to notice, Mr. Parke, seconded by Mr. Cook, moves that an address be presented to His Excellency the Governor General, requesting him to be pleased to furnish this House with a copy of Lord John Russell's despatch, dated the 16th October, 1839, and published, by His Excellency's command, in the supplement to the Upper Canada Gazette, of Thursday, the 5th December, instant, and that Messrs. Small and Thorburn be a committee to draft, report, and present the same.

Address ordered for copy of Lord Russell's despatch.

Which was carried and ordered.

Pursuant to notice, Mr. Gowan, seconded by Mr. Bockus, moves that the House do now resolve itself into a committee of the whole, for the purpose of granting a sum of money to pay some fit and proper person, or persons, for faithfully, fairly and impartially reporting the debates and proceedings of this House, during the present session.

House moved in committee of whole on granting a sum of money for reporters.

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

Division on motion.

YEAS.

Messrs. Aikman, Bockus, Chisholm of Glengarry, Cook, Duncombe, Gowan, Kearnes, Manahan, McCargar, McDonell of Stormont, McIntosh, Merritt, Morris, Murney, Parke, Richardson, Ruttan, Rykert, Shaver, Sherwood, Thorburn, Woodruff—22.

Yeas—22.

NAYS.

Messrs. Boulton, Burrill, Burwell, Cartwright, Deltor, Ferrie, Gamble, Hoitham, Malloch, McKay, McMicking, Salmon, Shade, Small, Wickens—15.

Nays—15.

The question was carried in the affirmative by a majority of seven, and the House was put into a committee of the whole accordingly.

Question carried—majority 7.

Mr. Jarvis in the chair.

The House resumed.

The Chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the house.

Resolution reported.

The report was received.

The resolution was put as follows:—

Resolution on employ-
ing reporters.

Resolved—That the sum of _____ be granted to Her Majesty, for the purpose of paying some fit and discreet person, or persons, for the purpose of faithfully, fairly and impartially reporting the debates of this House, during the present session.

Amendment.

In amendment—Mr. Gowan, seconded by Mr. Sherwood, moves that after the word “Resolved,” the whole be expunged, and the following inserted, That Messrs. Morris, Rykert, Gamble, Thomson and Boulton be a committee to employ one or more reporters, to report the proceedings of this House, and that this House will make good any reasonable sum necessary to defray the expenses which the said committee shall incur.

Carried.

Which was carried.

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

Original resolution
amended.

Resolved—That Messrs. Morris, Rykert, Gamble, Thomson and Boulton be a committee to employ one or more reporters, to report the proceedings of this House, and that this House will make good any reasonable sum necessary to defray the expenses which the said committee shall incur.

Message from His
Excellency the Govern-
or General.

Mr. Secretary Murdoch brought down a message from His Excellency the Governor General.

The message was read by the Speaker as follows:—

MESSAGE

From His Excellency the Governor General, on the subject of the Union of the Provinces.

[TRANSMITTED 7TH DECEMBER, 1839.]

C. POULETT THOMSON.

Message on the subject
of the union of the
provinces.

In pursuance of the intention expressed in his Speech from the Throne, the Governor General desires now to bring under the consideration of the House of Assembly, the subject of the Re-union of this Province with Lower Canada, recommended by Her Majesty in Her Gracious Message to both Houses of Parliament on the third of May last.

For several years the condition of the Canadas has occupied a large portion of the attention of Parliament. That they should be contented and prosperous—that the ties which bind them to the Parent State should be strengthened—that their administration should be conducted in accordance with the wishes of the people, is the ardent desire of every British Statesman—and the experience of the last few years amply testifies that the Imperial Parliament has been sparing neither of the time it has devoted to the investigation of their affairs, nor of the expenditure it has sanctioned for their protection.

The events which have marked the recent history of Lower Canada, are so familiar to the House of Assembly, that it is unnecessary for the Governor General further to allude to them. There, the Constitution is suspended, but the powers of the Government are inadequate to permit of the enactment of such permanent laws as are required for the benefit of the people.

Within this Province the finances are deranged—public improvements are suspended—private enterprise is checked—the tide of emigration, so essential to the prosperity of the country and to the British connexion, has ceased to flow—while by many, the general system of Government is declared to be unsatisfactory.

After the most attentive and anxious consideration of the state of these Provinces, and of the difficulties under which they respectively labor, Her Majesty's advisers came to the conclusion, that by their re-union alone could those difficulties be removed. During the last session of the Imperial Legislature they indeed refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the principle of the measure or its necessity. It arose solely from their desire to ascertain more fully the opinions of the Legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces.

The time then is now arrived beyond which a settlement cannot be postponed. In Lower Canada it is indispensable to afford a safe and practicable return to a Constitutional Government, and so far as the feelings of the inhabitants can be there ascertained, the measure of the re-union meets with approbation.

In Upper Canada it is no less necessary, to enable the Province to meet her financial embarrassments, and to proceed in the development of her natural resources. There are evidently no means in this Province of fulfilling the pecuniary obligations which have been contracted, but by a great increase in the Local Revenues. But so long as Lower Canada remains under her present form of Government, neither Province possesses any power over the only source from which that increase can be drawn. Nor even, were it possible to restore a Representative Constitution to Lower Canada, unaccompanied by the Union, would the position of this Province be much improved:

since past experience has shown the difficulty of procuring assent to any alteration of the customs laws suggested from hence.

Message on the subject of the union of the provinces.

This Province has engaged in undertakings, which reflect the highest honor on the enterprize and industry of her inhabitants. The public works which she has completed or commenced, have been conceived in a spirit worthy of a successful result. But additional means are indispensable to avert the ruin of some, and secure the completion of others. Nor will that alone suffice; Lower Canada holds the key to all those improvements. Without her co-operation, the navigation for which nature has done so much, for which this Province has so deeply burthened itself, must remain incomplete, and a barrier be opposed to the developement of those great natural resources which the hand of Providence has so lavishly bestowed on this country.

With a view to remove all those difficulties;—to relieve the financial embarrassments of Upper Canada; to enable her to complete her public works and develop her agricultural capabilities; to restore constitutional government to Lower Canada; to establish a firm, impartial, and vigorous government for both; and to unite the people within them in one common feeling of attachment to British institutions and British connexion, the Union is desired by Her Majesty's government; and that measure alone, if based upon just principles, appears adequate to the occasion.

Those principles, in the opinion of Her Majesty's advisers, are, a just regard to the claims of either Province in adjusting the terms of the Union—the maintenance of the three estates of the Provincial Legislature;—the settlement of a permanent civil list for securing the independence of the judges, and to the Executive government that freedom of action which is necessary for the public good, and the establishment of a system of local government adapted to the wants of the people.

It was with great satisfaction then that Her Majesty's Government learnt, that upon the question of the Union itself, the House of Assembly had pronounced their decided judgment during their last Session; and it will only remain for the Governor General now to invite their assent to the terms upon which it is sought to be effected. Their decision was indeed accompanied by recommendations to which the government could not agree; but the Governor General entertains no doubt that, under the altered circumstances, they will no more be renewed. It will be for the Imperial Parliament, guided by their intimate knowledge of constitutional law, and, free from the bias of local feelings and interests, to arrange the details of the measure.

The first of the terms of re-union, to which the Governor General desires the assent of the House of Assembly, is the equal representation of each Province in the United Legislature. Considering the amount of the population of Lower Canada, this proposition might seem to place that Province in a less favorable position than Upper Canada; but, under the circumstances in which this Province is placed, with the increasing population to be expected from immigration, and having regard to the commercial and agricultural enterprize of its inhabitants, an equal apportionment of representation appears desirable.

The second stipulation to be made is the grant of a sufficient civil list. The propriety of rendering the Judicial Bench independent alike of the Executive and the Legislature, and of furnishing the means of carrying on the indispensable services of the government, admits of no question, and has been affirmed by the Parliament of Upper Canada in the acts passed by them for effecting those objects. In determining the amount of the civil list, the House of Assembly may be assured that the salaries and expenses to be paid from it will be calculated by Her Majesty's government with a strict regard to economy and the state of the provincial finances.

Thirdly, the Governor General is prepared to recommend to Parliament, that so much of the existing debt of Upper Canada as has been contracted for public works of a general nature, should, after the Union, be charged on the joint revenue of the United Province. Adverting to the nature of the works for which this debt was contracted, and the advantage which must result from them to Lower Canada, it is not unjust that that Province should bear a proportion of their expences.

On these principles, the Governor General is of opinion that a re-union of the two Provinces may be effected—equitable and satisfactory in its terms, and beneficial in its results to all classes. He submits them to the consideration of the House of Assembly, in the full conviction of their importance, and in the hope that they will receive the assent of that House. Fortified by the expression of their opinion, Her Majesty's government and Parliament will be able at once to apply themselves to the full development of the scheme, and to the consideration of the provisions by which it may be carried into effect with the greatest advantage to the people of both Provinces.

If, in the course of their proceedings, the House of Assembly should desire any information which it is in the power of the Governor General to afford, they will find him ready and anxious to communicate with them frankly and fully, and to aid, by all the means in his power, that settlement on which he firmly believes that the future prosperity and advancement of these Colonies mainly depend.

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

Ordered—That an humble address be presented to His Excellency the Governor General, thanking him for his message of this day, recommending the Legislative Union of Upper and Lower Canada, and communicating the views of Her Majesty's government on that subject, and assuring His Excellency that this House will devote to that important question the most prompt and careful consideration,

Address of thanks for His Excellency's message on subject of the Union.

and that Messrs. Hotham and Rykert be a committee to draft, report, and present the same.

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

1000 copies of message to be printed.

Ordered—That one thousand copies of His Excellency the Governor General's message, on the subject of the Union, be printed for the use of Members.

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

Committee of whole on the Union, Tuesday next.

Ordered—That the message of His Excellency the Governor General, on the subject of the Union of the Provinces of Upper and Lower Canada, be referred to a committee of the whole House on Tuesday next, and that it be the first item on the order of the day.

Address of thanks reported.

Mr. Hotham, from the committee to draft an address to His Excellency the Governor General, thanking His Excellency for his message of this day, reported a draft, which was received and read the first time.

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

Second reading of Address this day.

In amendment—Mr. Hotham, seconded by Mr. Solicitor General, moves that the address to His Excellency the Governor General, thanking him for his message on the Union of these Provinces, be read a second time this day.

Address concurred in.

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

Third reading on Monday next.

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

Mr. Richardson obtained leave of absence.

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

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

Bill to make valid certain deeds of conveyance read second time.

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

Committed.

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

Mr. Thomson in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

The report was received.

Bill to extend time for completion of Erie and Ontario rail road read second time.
Committed.

Pursuant to the order of the day, the bill to extend the period for completing the Erie and Ontario rail road was read the second time.

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

Mr. Sherwood in the chair.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading on Monday.

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

Bill to appoint commissioners to examine into public accounts read second time.
Committed.

Pursuant to the order of the day, the bill to appoint commissioners to investigate the public accounts was read the second time.

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

Mr. Cartwright in the chair.

The House resumed.

Progress reported.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to levy an additional assessment on the new district of Dalhousie, was read the second time. Bill to levy additional tax in Dalhousie read second time. Committed.

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

Mr. McMicking in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the address to His Excellency the Governor General, for a return of the population of the Town of Belleville. House in committee on address to His Exc'y for population of Belleville.

Mr. Gowan in the chair.

The House resumed.

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

The report was received.

Ordered—That the address be engrossed and read a third time on Monday next. Third reading Monday.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Detlor, moves for leave to bring in a bill to alter and amend the law relating to dower, and to provide a more effectual remedy for its recovery. Dower bill brought in. Bill read.

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

Ordered—That the bill be read a second time on Monday next. 2d reading Monday next

Adjourned.

MONDAY, 9th December, 1839.

The House met.

The minutes of Saturday were read.

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

By Mr. McKay, the petition of George Baker and fifteen others, magistrates, residing in the intended new district of Dalhousie. Of Geo. Baker and 15 others.

By Mr. Boulton, the petition of H. S. Reid, J. P., and thirty-two others, of the township of Darlington, district of Newcastle, and the petition of John Covert, J. P., and three hundred and forty-eight others. Of H. S. Reid, J. P. and 32 others. John Covert, J. P., and 348 others.

By Mr. Gowan, the petition of Anthony Manahan, Esq., of the town of Kingston. A. Manahan.

By Mr. Sherwood, the petition of John Stuart, Esq., of the town of London. John Stuart.

By Mr. Burritt, the petition of Catharine Fraser. Catharine Fraser.

And by Mr. Merritt, the petition of John Jarron and one hundred and one hundred and one others, of the county of Haldimand. J. Jarron and 101 others

Pursuant to the order of the day the address to His Excellency, the Governor General, thanking him for his Message relative to the Union of Upper and Lower Canada, was read the third time and passed, and is as follows:— Address of thanks for message on Union passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address of thanks.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank Your Excellency for your Message of Saturday last, recommending the Legislative Union of Upper and Lower Canada, and communicating the views of Her Majesty's Government on that subject, and assure Your Excellency that we will devote to that important question the most prompt and careful consideration.

ALLAN N. MACNAB,
SPEAKER.

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

Bill to extend time for completion of Erie and Ontario rail road passed.
Title.

Pursuant to the order of the day, the bill to extend the time for completing the Erie and Ontario rail road was read the third time and passed.

Mr. Thorburn, seconded by Mr. McMicking, moves that the bill be entitled, "An Act to extend the time for completing the Erie and Ontario rail road."

Bill sent to Legislative Council.

Which was carried, and Messrs. Thorburn and McMicking were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His Excellency on population of Belleville passed.

Pursuant to the order of the day, the address to His Excellency the Governor General for a return of the population of the town of Belleville, was read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House such return of the population of the town of Belleville as may have been transmitted to the Government Office.

ALLAN N. MACNAB,
SPEAKER.

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

Petitions read:

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

Of H. Smith.

Of Henry Smith, Warden of the Provincial Penitentiary, praying for an allowance in lieu of convict servants.

A. Acton

And of Abraham Acton, praying that a sum of money belonging to him, which was lost on board of the *Sir Robert Peel*, Steamboat, at the time of its destruction by the brigands, may be made good to him.

Petitions referred:

On motion of Mr. Aikman, seconded by Mr. McDonell, of *Stormont*,

Of W. J. Gilbert, and others, to select com.

Ordered—That the petition of W. J. Gilbert, and others, contractors on the Hamilton and Brantford road, be referred to a select committee, consisting of Messrs. Ferrie and Chisholm of *Halton*, to report thereon by bill or otherwise.

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

Ordered—That the petition of Asa Werden, and one hundred and eight others, praying for a division of the township of Hallowell, be referred to a select committee, to be composed of Messrs. Armstrong, Malloch and Rykert, with power to report thereon by bill or otherwise.

Of A. Werden and others to select com.

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

Ordered—That the petition of Abraham Acton, be referred to a select committee, consisting of Messrs. Morris, Sherwood and Bockus, with power to report thereon.

Of A. Acton to select committee.

Mr. Morris gives notice that he will, on to-morrow, move for the appointment of a committee on finance.

Notices:
Of com. of finance.

Mr. McKay gives notice that he will, on to-morrow, move that this House resolve itself into a committee of supply, to enable him to move for an extra rate of one penny in the pound, for the purpose of erecting a Gaol and Court House in the district of Dalhousie.

Of com. of supply, to levy additional tax on Dalhousie.

Mr. Cartwright gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House what action has been had by the Imperial Government, on the bill passed by both branches of the Provincial Legislature, entitled, "An Act to dispose of the Lands commonly called the Clergy Reserves, and for other purposes therein mentioned.

Of address to His Exc'y for information.

Mr. Shade gives notice that he will, on to-morrow, move that this House resolve itself into a committee of supply, to enable him to move for an extra rate of one penny in the pound, for the purpose of erecting a Gaol and Court house in the county of Huron.

Additional assessment on county of Huron.

Mr. Bockus gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the fisheries within this Province.

Fishery regulation bill.

Mr. Sherwood gives notice that he will, on Monday next, move for leave to bring in a bill to repeal the usury laws of this Province.

Usury law repeal bill.

Mr. Sherwood gives notice that he will, on Monday next, move for leave to bring in a bill to authorise the establishment of a Court of Impeachment within this Province.

Court of impeachment bill.

Mr. Bockus gives notice that he will, on Wednesday next, move for leave to bring in a bill to lay a duty on pork, flour, wheat, and other grain, imported into this Province from the United States of America.

Bill to tax imported grain.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a bill to protect the public from damages which may arise from the destruction of property by incendiaries.

Bill to protect from damage by incendiarism

Mr. Boulton gives notice that he will, on Wednesday next, move for leave to bring in a bill to restrain the practice of duelling in this Province.

Bill to restrain duelling.

Mr. Merritt, from the select committee to which was referred the petition of George Adams and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Report on petition of G. Adams.

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

Ordered—That the Erie and Ontario bank bill be read a second time to-morrow.

Erie and Ontario bank bill read.

Mr. Thorburn, from the committee to draft an address to His Excellency, the Governor General, for copy of Lord John Russell's despatch, dated the 16th October, 1839, reported a draft, which was received and read a first time.

Address for despatch reported.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Parke, seconded by Mr. Cooke, moves, that the address be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with as far as it relates to the same.

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

Address read 2d time.

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

Committed.

Mr. Ferrie in the chair.

The House resumed.

Address reported.

The chairman reported that the committee had agreed to the address, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

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

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

Order for printing the Journals.

Ordered—That the committee appointed to superintend the printing of this House be instructed to have three copies of the proceedings of this House folded under cover, and laid daily on the desk of each member when printed.

Bill amending Hasting's district division act brought in.

Pursuant to notice, Mr. Murney, seconded by Mr. Manahan, moves for leave to bring in a bill to alter and amend the act authorising the erection of the county of Hastings into a separate district.

Bill read.

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

2d reading to-morrow.

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

Plaintiff's security bill brought in.

Pursuant to notice, Mr. Murney, seconded by Mr. Manahan, moves for leave to bring in a bill requiring plaintiffs to give security for costs.

Bill read.

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

2d reading to-morrow.

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

Motion to expunge the "Narrative" of Sir F. B. Head from the Journals.

Pursuant to notice, Mr. Gowan, seconded by Mr. Ferrie, moves, That the "narrative" of Sir Francis B. Head, transmitted to the Honorable the Speaker of this House during the last Session, be expunged from the appendix to the journals of the same.

Division on motion.

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

Y E A S.

Yeas—16.

Messrs. *Chisholm* of Glengarry, *Cook*, *Duncombe*, *Ferrie*, *Gowan*, *McDonell* of Stormont, *McIntosh*, *McCargar*, *McMicking*, *Merritt*, *Moore*, *Morris*, *Parke*, *Shaver*, *Small*, *Woodruff*—16.

N A Y S.

Nays—31.

Messrs. *Aikman*, *Attorney General*, *Bockus*, *Boulton*, *Burritt*, *Burwell*, *Caldwell*, *Cartwright*, *Chisholm* of Halton, *Detlor*, *Gamble*, *Hotham*, *Hunter*, *Kearnes*, *Lewis*, *Malloch*, *Marks*, *McDonell* of Glengarry, *McKay*, *McLean*, *Murney*, *Powell*, *Robinson*, *Ruttan*, *Rykert*, *Salmon*, *Shade*, *Sherwood*, *Solicitor General*, *Thomson*, *Wickens*—31.

Motion lost—majority 15.

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

Bill reported regulating manner of licensing public houses.

Pursuant to notice, Mr. Thorburn, seconded by Mr. Rykert, moves for leave to bring in a bill to explain the Act 6th William IV. ch. 4, regulating the manner of licensing public houses.

Bill read.

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

2d reading to-morrow.

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

Bill to amend the boundary line commissioners' act brought in.

Pursuant to notice, Mr. Rykert, seconded by Mr. Solicitor General, moves for leave to bring in a bill to repeal part of, and amend the act passed in the third Session of the present Parliament, intituled, "*An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several districts of this Province.*"

Bill read.

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

2d reading to-morrow.

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

Statement from Bank of Upper Canada reported.

Mr. Speaker reported that he had received a letter from the Cashier of the Bank of Upper Canada, together with the statement of the affairs of that institution, in obedience to the orders of the house.

The letter and statement were read as follows:—

BANK OF UPPER CANADA,

Toronto, 7th December, 1839.

Sir,

In obedience to the order of the Honorable the Commons House of Assembly, I have the honor to enclose a general statement of the affairs of this Bank on the 5th instant, as the Act directs. Letter from Cashier of Bank of Upper Canada.

I have the honor to be,

Sir,

Your obedient servant,

THOS. G. RIDOUT,

CASHIER.

JAS. FITZGIBBON, Esquire,

Clerk to the Honorable

The Commons House of Assembly.

GENERAL STATEMENT of the affairs of the Bank of Upper Canada on Thursday, the 5th of December, 1839, furnished by order of the Honorable the Commons House of Assembly.

	£	s.	d.		£	s.	d.
Capital Stock paid in.....	200,000	0	0	Gold, Silver, and other coined metals in the vaults of the Bank.....	103,718	9	11
Amount of Notes in circulation, not bearing interest, of the value of \$5 and upwards, £107,281 5				Real Estate and Bank Furniture	9,549	17	5
Ditto under \$5.....	53,191	0		Bills of other Banks.....	35,123	15	0
	160,472	5	0	Balances due from other Banks and Foreign Agents in New York and London.....	23,537	14	9
Bills and Notes in circulation bearing interest.....	None.			Amount of all debts due to the Bank, including Notes, Bills of Exchange and all Stock and funded debts of every description, excepting balances due from other Banks.....	311,232	16	2
Balances due to other Banks.....	5,059	9	9				
Cash deposited, including all sums whatever, due from the Bank not bearing interest, its Bills in circulation and Balances due to other Banks excepted.....	113,854	8	1				
Cash deposited bearing interest, being for the Home District Savings Bank.....	3,776	10	5				
	483,162	13	3		483,162	13	3

MISCELLANEOUS.

Rate and amount of the last Dividend, being for the six months ending 30th June, 1839, four per cent on £200,000, the Capital Stock.....	3,000	0	0
Amount of reserved profits after declaring the last Dividend.....	17,963	7	6
Amount of debts due to the Bank, and not paid, being over due, of which about £4000 may be considered bad or doubtful.....	71,169	16	7

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

WM. PROUDFOOT,

President.

THOS. G. RIDOUT,

Cashier.

Sworn before me at Toronto, this seventh day of December, 1839. }
T. W. BIRCHALL, J. P. }

Bill to compel aliens to declare their length of residence in the province.

Bill read.

2d reading to-morrow.

Bill to compel certain persons not assessed to perform statute labour.

Bill read.

2d reading to-morrow.

Address to His Exc'y for reply of Queen to joint address of last session in behalf of Capt. Drew, ordered.

Committee on roads and bridges appointed.

Address to His Exc'y for copy of bill submitted to Imperial Parliament, on the subject of Union of the Canadas, moved.

Division

Yeas—17

Messrs. *Aikman, Boulton, Burrill, Burwell, Cartwright, Chisholm of Halton, Dettor, Gamble, Gowan, McLean, Robinson, Ruttan, Salmon, Shade, Sherwood, Thomson, Wickens*—17.

Nays—19.

Messrs. *Bockus, Chisholm of Glengarry, Cook, Ferrie, Kearnes, Lewis, McCargar, McDonell of Stormont, McKay, McMicking, Merritt, Moore, Morris, Parke, Shaver, Small, Solicitor General, Thorburn, Woodruff*—19.

Question lost—majority 2.

Committee of whole on bill to appoint commissioners to investigate public accounts.

Progress reported—sit again to-morrow.

Bill to amend the law of dower read 2d time.

Pursuant to notice, Mr. Boulton, seconded by Mr. Cartwright, moves for leave to bring in a bill to compel aliens to declare, on oath, the time when they came to reside in the Province.

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

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

Pursuant to notice, Mr. Aikman, seconded by Mr. Kearnes, moves for leave to bring in a bill to declare the power of the justices of the peace to compel persons over the age of twenty-one years, not assessed, to perform statute labor.

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

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

Pursuant to notice, Mr. Cartwright, seconded by Mr. Boulton, moves that an humble address be presented to His Excellency, the Governor General, requesting that His Excellency will be pleased to transmit to this House the answer of Her Most Gracious Majesty to the joint address of both branches of the Provincial Legislature, requesting Her Majesty to confer some mark of Her Royal approbation on Andrew Drew, Esq., a commander of the Royal Navy, and that Messrs. Aikman and Salmon be a committee to draft, report, and present the same.

Which was carried and ordered.

Pursuant to notice, Mr. Thomson, seconded by Mr. Caldwell, moves that Messrs. Dettor, Gamble, Aikman, and McDonell of *Stormont*, be a committee on roads and bridges.

Which was carried and ordered.

Pursuant to notice, Mr. Gamble, seconded by Mr. Ruttan, moves that an humble address be presented to His Excellency, the Governor General, requesting His Excellency to cause to be laid before this House a copy of the bill submitted by Her Majesty's Ministers, to the Imperial Parliament, during its last Session, on the subject of the Union of the Provinces of Upper and Lower Canada, and that Messrs. Robinson and Thomson be a committee to draft, report, and present the same.

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

YEAS.

Messrs. *Aikman, Boulton, Burrill, Burwell, Cartwright, Chisholm of Halton, Dettor, Gamble, Gowan, McLean, Robinson, Ruttan, Salmon, Shade, Sherwood, Thomson, Wickens*—17.

NAYS.

Messrs. *Bockus, Chisholm of Glengarry, Cook, Ferrie, Kearnes, Lewis, McCargar, McDonell of Stormont, McKay, McMicking, Merritt, Moore, Morris, Parke, Shaver, Small, Solicitor General, Thorburn, Woodruff*—19.

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

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint commissioners to investigate the public accounts.

Mr. Cartwright in the chair.

The House resumed.

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

The report was received, and leave was granted accordingly.

Pursuant to the order of the day, the bill to amend the law of dower was read the second time.

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

Mr. Small in the chair.

The House resumed.

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

The report was received.

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

Adjourned.

TUESDAY, 10th December, 1839.

The House met.

The minutes of yesterday were read.

Pursuant to the order of the day, the House was put into a committee of the whole on the message of His Excellency the Governor General, on the subject of the Union of the Provinces of Upper and Lower Canada. House in com. on His Excellency's message on the Union.

Mr. Ruttan in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

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

Ordered—That one thousand copies of the resolutions proposed for the adoption of the House, on the subject of the Union, be printed for the use of Members. 1000 copies of proposed resolutions on the Union to be printed.

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

By Mr. Sherwood, the petition of the President and Fellows of the College of Physicians and Surgeons of Upper Canada. President, &c. of College of Physicians and Surgeons.

By Mr. Small, the petition of George Hamilton, third clerk in the Receiver General's Department. Geo. Hamilton.

By Mr. Gamble, the petition of John Kidd, Gaoler of the Home District. Jno. Kidd.

And by Mr. Jarvis, the petition of Mrs. Blackwood, of the town of Cornwall. Mrs. Blackwood.

Pursuant to the order of the day, the address to His Excellency the Governor General, for copy of Lord John Russell's despatch, dated 16th October, 1839, was read the third time and passed, and is as follows :— Address to His Exc'y for copy of Lord John Russell's despatch passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to direct to be laid before this House a copy of the despatch of Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, to the Lieutenant Governor, dated the 16th of October, 1839, and published by Your Excellency's command in the supplement to the *Upper Canada Gazette*, of Thursday, the 5th of December, instant. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Tenth day of December, 1839. }

- Dower bill passed. Pursuant to the order of the day, the bill to amend the law of dower was read the third time and passed.
- Title. Mr. Cartwright, seconded by Mr. Detlor, moves that the bill be entitled, "An Act to alter the Law of Dower, and to provide a more effectual means for its recovery."
- Bill sent to Leg. Council Which was carried, and Messrs. Cartwright and Detlor were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Notices:*
- Of bill to regulate the office of reporter. Mr. Solicitor General gives notice that he will, to-morrow, move for leave to bring in a bill for the better regulation of the office of reporter to Her Majesty's Court of Queen's Bench in this Province.
- Of bill to prevent the introduction of spirituous liquors into gaols. Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent the introduction of spirituous liquors into the gaols of this Province.
- Of bill to amend the 1st Victoria, ch. 3. The Attorney General gives notice that he will, on Monday next, move for leave to bring in a bill to amend the Act passed in the first year of Her Majesty's reign, chapter 3.
- Of bill to amend law punishing persons enticing soldiers to desert. The Attorney General gives notice that he will, on Monday next, move for leave to bring in a bill amending the laws for the punishment of persons encouraging and assisting soldiers in Her Majesty's service to desert.
- Address in behalf of Capt. Drew reported. Mr. Aikman, from the committee to draft an address to His Excellency the Governor General, for information respecting the address to Her Majesty in behalf of Captain Drew, reported a draft, which was received and read the first time.
- On the question for the second reading of the address to-morrow.
- In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the address of this House to the Governor General, respecting Captain Drew, be not read a second time to-morrow, but that it be read a second time this day.
- Address read 2d time. Which was carried, and the address was read the second time.
- 3d reading to-morrow. *Ordered*—That the address be engrossed and read a third time to-morrow.
- Petition of Hy. Smith referred to a select com. On motion of Mr. Ruttan, seconded by Mr. Gamble,
- Ordered*—That the petition of Henry Smith, Warden of the Penitentiary, be referred to Messrs. Manahan, Thomson and Thorburn, to report thereon by bill or otherwise.
- On motion of Mr. Robinson, seconded by Mr. Gamble,
- Ordered*—That an humble address be presented to His Excellency the Governor General, requesting to be informed whether His Excellency is possessed of any information that he can communicate to this House, relative to the terms of the measure intended to be proposed to the Imperial Parliament, for the Re-union of the Canadas, and that Messrs. Sherwood and Boulton be a committee to draft, report and present the same, and that the thirty-first rule of this House be dispensed with, so far as it relates to this motion.
- Address to His Exc'y for terms of Re-union of the Canadas, to be proposed to the Imperial Parliament ordered.
- Address for action of Her Majesty on bill passed last session on remunerating sufferers ordered. Pursuant to notice, Mr. Caldwell, seconded by Mr. Aikman, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House, if any, and what reply has been made by Her Majesty to the bill past last Session, for remunerating the sufferers during the late attempt at insurrection in this Province, and that Messrs. Chisholm, of *Halton*, and Rykert be a committee to draft, report and present the same.
- Which was carried and ordered.
- Bill to amend the registry law.s Pursuant to notice, Mr. Sherwood, seconded by Mr. Bockus, moves for leave to bring in a bill to alter and amend the registry laws of this Province.
- Bill read. Which was granted, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill be read a second time to-morrow.
- Bill to increase bounty for destruction of wolves Pursuant to notice, Mr. Murney, seconded by Mr. Manahan, moves for leave to bring in a bill to increase the bounty for the destruction of wolves.
- Bill read. Which was granted, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill be read a second time to-morrow.

Pursuant to notice, Mr. Boulton, seconded by Mr. Ruttan, moves for leave to bring in a bill to disqualify certain persons from voting or being candidates at elections of Members of the House of Assembly.

Bill to disqualify certain persons from voting, &c. at elections.

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

Bill read.

On the question for the second reading of the bill to-morrow.

On question for second reading to-morrow.

In amendment—Mr. Merritt, seconded by Mr. Parke, moves that the bill to disqualify certain persons from voting at elections be not read a second time to-morrow, but that it be read a second time this day three months.

Amendment.

Upon which debates ensued.

Debates.

Adjourned.

WEDNESDAY, 11th December, 1839.

The House met.

The minutes of yesterday were read.

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

Petitions brought up:

By Mr. Shade, the petition of H. W. Peterson, proprietor of the "*Canada Museum*" newspaper, published at Berlin, in the district of Gore.

Of H. W. Peterson.

By Mr. Thomson, the petition of John Somerset, and five hundred and eighty-two others, of the Home District.

Of Jno. Somerset, and 582 others.

And by Mr. McDonell, of *Glengarry*, the petition of D. McDiarmid, late a Lieutenant in the *Glengarry Militia*.

Of D. McDiarmid.

Pursuant to the order of the day, the address to His Excellency the Governor General, for information respecting the address to Her Majesty in behalf of Captain Drew, was read the third time and passed, and is as follows :—

Address to His Exc'y on subject of Captain Drew passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada, and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to enquire of Your Excellency if Her Majesty has been pleased to return any answer to the joint address of both Houses of the Provincial Legislature, requesting Her Majesty to confer some mark of Her Royal approbation on Andrew Drew, Esq., a commander in the Royal Navy.

Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Eleventh day of December, 1839. }

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

Petitions read:

Of George Baker, J. P., and fifteen others, magistrates, residing in the intended district of Dalhousie, praying for the passing of an act to authorise the levying an additional assessment of one penny in the pound on all rateable property within the said District, to provide means for building the gaol and court house therein.

Of Geo. Baker, J. P., and others.

Of H. S. Reid, J. P., and thirty-two others, of the township of Darlington, in the district of Newcastle, praying for an extension of the limits of Darlington Harbor.

Of H. S. Reid, J. P., and others.

Of Jno. Covert, J. P.,
and others.

Of John Covert, J. P., and three hundred and forty-eight others, praying for certain alterations in the law of treason.

Of A. Manahan, Esq.

Of Anthony Manahan, Esquire, of the town of Kingston, praying to be remunerated for his loss in consequence of the seizure of some of his property by the late collector of customs for Kingston, since declared to be illegal.

Of J. Stuart.

Of John Stuart, Esquire, of the town of London, praying for a divorce.

Of Catharine Frazer.

Of Catharine Frazer, praying remuneration for the destruction of her property at the invasion near Prescott, in 1838.

Of Jno. Jarron, and 101
others.

And of John Jarron, and one hundred and one others, of the county of Haldimand, praying for a grant of a sum of money to secure the harbor at the entrance of the Grand River.

Question for 2d reading
of bill to prevent certain
persons from voting and
offering at elections put.

Pursuant to the order of the day, the question for the second reading of the bill to prevent persons who have been guilty of treason from being candidates, and from voting at elections, was put.

Amendment.

In amendment—Mr. Merritt, seconded by Mr. Parke, moves that the bill be not now read a second time, but that it be read a second time this day three months.

Division on amendment.

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

Y E A S .

Yeas—22.

Messrs. *Aikman, Bockus, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Dettor, Duncombe, Ferric, Gowan, McCarger, McDonell* of Stormont, *McIntosh, McKay, McMicking, Merritt, Morris, Parke, Rykert, Shade, Shaver, Thomson, Thorburn*—22.

N A Y S .

Nays—18.

Messrs. *Attorney General, Boulton, Burrill, Burwell, Cartwright, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, McDonell* of Glengarry, *McLean, Powell, Ruttan, Sherwood, Wickens*—18.

Amendment carried—
majority, 4.

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

Petitions referred:
Of A. Manahan, to a
select committee.

Mr. Gowan, seconded by Mr. McKay, moves that the petition of Anthony Manahan be referred to a select committee, with power to send for persons and papers, and to report thereon, and that Messrs. Ruttan, Murney, Powell, and Parke, do compose said Committee.

Of H. S. Reid, and
others, to select com.

Mr. Boulton, seconded by Mr. Chisholm of Halton, moves that the petition of H. S. Reid and others be referred to a select committee, consisting of Messrs. Ruttan and McDonell of Northumberland, to report thereon, by bill or otherwise.

Of Jno. Stuart, to select
committee.

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of John Stuart, Esquire, be referred to a select committee, consisting of Messrs. Cartwright and Boulton, with power to send for persons and papers, and to report thereon by bill or otherwise.

Notices:

Of address to His Exc'y
on the subject of the
existence of bodies
commonly known as
Hunters, &c.

Mr. Thorburn gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency, the Governor General, requesting His Excellency to inform this House, if consistent with the public service, if there is or has been bodies of men in this Province, leagued together under oaths, and commonly known as Hunters, or by any other name, who have for their object the subversion of our constitution and connexion with the parent state.

Of bill to amend act for
disposal of public lands.

Mr. McDonell, of Glengarry, gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend an act passed in the first Session of the present Parliament, entitled, "An Act to provide for the disposal of the Public Lands in this Province; and for other purposes therein mentioned," in order that her Majesty may be enabled to carry into effect Her Gracious intention of granting lands to certain militia men of this Province who served during the late war with the United States of America, as expressed in the despatch of the Colonial Secretary, dated 30th August, 1837, in reply to the address of this House on that subject.

Of bill to impose addi-
tional tax on wild lands.

Mr. Ruttan gives notice that he will, on Monday fortnight, move for leave to bring in a bill to provide for the imposition of an additional tax upon wild lands within this Province, for the benefit of roads.

Mr. Sherwood, from the committee to draft an address to His Excellency the Governor General, for information respecting the terms of the proposed Union of Upper and Lower Canada, reported a draft, which was received and read the first time.

Address reported respecting terms of proposed Union.

On the question for the second reading of the address to-morrow,

Mr. Sherwood, seconded by Mr. Boulton, moves that the address be read a second time forthwith, and not to-morrow.

Address read 2d time.

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

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

Committed.

Mr. Bockus in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

Address amended.

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Cartwright, seconded by Mr. Sherwood, moves that the address to His Excellency the Governor General, respecting information connected with the Union, be not read a third time to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

3d reading this day.

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General, for information respecting the bill to remunerate the sufferers by the late insurrection, (reserved last Session), reported a draft, which was received and read the first time.

Com. report address to His Exc'y on bill of last Session to remunerate sufferers by late insurrection.

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

2d reading to-morrow.

Mr. Speaker reported that he had received, from the Cashier of the Gore Bank, in obedience to the orders of the House, a statement of the affairs of that institution, which is as follows:—

Mr. Speaker reports statement from Cashier of the Gore Bank.

(☞ See over leaf.)

A GENERAL STATEMENT of the affairs of the Gore Bank, on Monday, the 9th day of December, 1839, furnished by order of the Honorable the House of Assembly.

LIABILITIES OF THE BANK.		RESOURCES OF THE BANK.	
	£ s. d.		£ s. d.
Capital Stock,	£1— 2,091 0 0	Gold, Silver and other coined metals, in the vaults of the Bank,	£ 29,674 13 3
Bank Notes in circulation,	£2— 3,221 10 0	Specie in transitu,	5,000 0 0
	£4—12,094 0 0	Bills of other Banks,	2,143 5 0
Unclaimed Dividends,	£10,	Balance due from other Banks,	1,042 15 6
Cash deposited bearing interest,	22,406 10 0	Balance due from Foreign Agents,	10,249 8 9
Cash deposited not bearing interest,	21,092 10 0	Real Estate and Bank Furniture,	11,292 4 3
Profits accrued at this date,	0 0 0	Provincial Debentures payable in England, bearing 5 per cent interest,	2,212 4 6
		Amount of all debts due to the Bank, including notes, bills of exchange, and all stock and funded debts of every description, excepting balances due from other Banks,	10,555 11 2
			97,279 17 2
			£ 158,157 15 4
			£ 158,157 15 4

Rate and amount of the dividend, being for the six months, ending 1st November, 1839, at six per cent per annum, Amount of reserved profits at the time of declaring the last dividend,

£ 3,000 0 0
 3,793 0 3
 £494 may be considered doubtful,

Sworn before me, at Toronto, in the Home District, this Eleventh day of December, 1839.
 E. W. THOMSON, J. P. }
 President.

Sworn before me, at Hamilton, in the Gore District, this Tenth day of December, 1839.
 EDMUND RITCHIE, J. P. }

I, the undersigned, swear the contents of the above statement are just and true, to the best of my knowledge and belief.
 COLIN C. FERRIE, }
 President.

I, the undersigned, swear the contents of the above statement are just and true, to the best of my knowledge and belief.
 A. STEVEN, }
 Cashier.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Rykert, moves that an humble address be presented to Her Majesty, praying that Her Majesty may be pleased to recommend to the Imperial Parliament that the Act prohibiting the importation of tea into this Province, from the United States of America, may be amended in such manner as to enable the same to be imported upon the payment of certain duty, and that Messrs. Thompson and Boulton be a committee to draft and report the same.

Address to Her Majesty on importation of tea from United States ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Shade, seconded by Mr. Chisholm, of *Halton*, moves for leave to bring in a bill to add certain Townships to the County of Huron.

Bill to add certain townships to county of Huron.

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

Bill read.

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

2d reading to-morrow.

Pursuant to notice, Mr. Powell, seconded by Mr. Hotham, moves for leave to bring in a bill to authorise the sale of the Government Stock in the Bank of Upper Canada.

Bill to authorise sale of government bank stock.

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

Bill read.

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

2d reading to-morrow.

Pursuant to notice, Mr. Ruttan, seconded by Mr. Gowan, moves that an humble address be presented to His Excellency, the Governor General, upon the subject of the Crown Lands in Murray, and that Messrs. Gamble and Powell be a committee to draft, report, and present the same.

Address to His Exc'y on subject of Crown Lands in Murray ordered.

Which was carried and ordered.

On the order of the day for a committee of the whole on the bill to levy additional assessment on the district of Dalhousie being called,

On com. of whole on bill to levy assessment in Dalhousie being called.

In amendment—Mr. McKay, seconded by Mr. Merritt, moves that this House resolve itself into a committee of supply forthwith, for the purpose of levying an extra rate of one penny in the pound on the inhabitants in the district of Dalhousie, for erecting a gaol and court house therein.

Amendment.

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

House in supply on the above.

Mr. Parke in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Resolution reported.

The report was received, and the resolution was adopted, as follows:—

Resolved—That there be levied and collected, for the purpose of erecting a gaol and court house at Bytown, an additional tax of one penny in the pound on all ratable property in the District of Dalhousie.

Resolution. Additional rate of 1d. in the pound in district of Dalhousie.

Pursuant to the order of the day, the address to His Excellency, the Governor General, for information respecting the terms of the proposed Union of Upper and Lower Canada, was read the third time and passed, *nem. con.* and is as follows:—

Address to His Exc'y on proposed terms of Union to Imperial Parliament passed *nem. con.*

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to inform this House whether Your Excellency is possessed of any information which you can communicate, relative to the terms of the measure intended to be proposed to the Imperial Parliament for the Re-union of the Canadas, and that Your Excellency will also cause to be transmitted

Address.

to this House a copy of the bill introduced into the British House of Commons, at its last Session, upon that subject, or such parts thereof as are intended to be recommended for the adoption of Her Majesty's Government.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Eleventh day of December, 1839. }

P R E S E N T :

Members present.

Messrs. *Aikman, Burrill, Burwell, Cartwright, Chisholm* of Glengarry, *Cook, Detlor, Duncombe, Ferrie, Gamble, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Marks, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McKay, McLean, McMicking, Merritt, Morris, Murney, Parke, Powell, Robinson, Ruttan, Shaver, Sherwood, Thomson, Thorburn, Wickens.*

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

Resolution levying additional tax in district of Dalhousie referred to select committee.

Ordered—That the resolution of this House, authorising the levying an increased tax on the district of Dalhousie for building a gaol and court house therein, be referred to a select committee, consisting of Messrs. Merritt, Sherwood and Shade, and to report by bill or otherwise.

Address to His Exc'y for information on Clergy Reserve bill of last Session ordered.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Detlor, moves, that an humble address be presented to His Excellency, the Governor General, praying His Excellency will be pleased to inform this House what action has been had by Her Majesty's Government, in the Imperial Legislature, on the bill passed by both branches of the Provincial Legislature of this Province, entitled, "An Act to dispose of the Lands commonly called Clergy Reserves, and for other purposes therein mentioned," and that Messrs. Boulton and Murney be a committee to draft, report and present the same.

Which was carried and ordered.

Ballot for Finance committee to-morrow.

Pursuant to notice, Mr. Morris, seconded by Mr. Bockus, moves that this House do, at one o'clock, P. M., on to-morrow, proceed to elect, by ballot, a committee of nine of its members, to whom shall be referred the public accounts.

Which was carried and ordered.

Bill for regulating manner of granting licenses to Inn-keepers, &c.

Pursuant to notice, Mr. Gamble, seconded by Mr. Ruttan, moves for leave to bring in a bill for the better regulating of the manner of granting licenses to innkeepers, and also for licensing the keepers of ale and beer houses.

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

2d reading to-morrow.

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

Erie and Ontario Bank Bill read second time.

Pursuant to the order of the day, the Erie and Ontario Bank bill was read the second time.

Committed.

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

Mr. Hunter in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading to-morrow.

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

Hastings's district act amendment bill read second time.

Pursuant to the order of the day, the bill to amend the act declaring the county of Hastings a separate district, was read the second time.

Committed.

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

Mr. Sherwood in the chair.

The House resumed.

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

The report was received.

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

Pursuant to the order of the day, the bill requiring plaintiffs to give security for costs, was read the second time. Bill requiring Plaintiffs to give security for costs read second time.

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

Mr. McKay in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to explain the spirituous liquor license act, was read a second time. Bill to explain spirituous liquor license act read second time.

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

Mr. Aikman in the chair.

The House resumed.

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

The report was received.

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

Pursuant to the order of the day, the bill to amend the boundary commissioners' act was read the second time. Bill to amend boundary commissioners' act read second time.

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

Mr. McDonell, of Glengarry, in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Rykert, moves that an humble address be presented to His Excellency, the Governor General, requesting His Excellency to inform this House whether any communications have been received from Her Majesty's Principal Secretary of State for the Colonies, on the subject of Responsible Government, as recommended in the report of the Earl of Durham, or as suggested in any other manner; and if any such despatches have been received, or any by which the opinion of Her Majesty's government upon that subject can be collected, that His Excellency will cause copies of the same to be transmitted for the information of this House, and that Messrs. Morris and Bockus be a committee to draft, report, and deliver the same. Address to His Exc'y for information on the subject of responsible government moved.

In amendment—Mr. Gowan, seconded by Mr. Small, moves, that the address be not presented to His Excellency, but that this House is satisfied with the views expressed by His Excellency, the Governor General, upon the subject of Responsible Government, as contained in His Excellency's replies to several addresses presented to His Excellency from various parts of this Province, and in which His Excellency has declared his intentions to administer the government of this colony in unison with the wishes of the people. Amendment.

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

YEAS.

Messrs. Chisholm of Glengarry, Gowan, McCargar, McMicking, Merritt, Parke, Shaver, Small, Thorburn, Woodruff—10. Yeas—10.

N A Y S .

Nays—26. Messrs. *Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cartwright, Chisholm of Halton, Deltor, Ferrie, Gamble, Kearnes, Malloch, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Murney, Robinson, Rykert, Shade, Sherwood, Solicitor General, Thomson, Wickens*—26.

Amendment lost—majority 16.
Division on original question. The question of amendment was decided in the negative, by a majority of sixteen.
On the original question, the yeas and nays were taken, as follows:—

Y E A S .

Yeas—33. Messrs. *Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Deltor, Ferrie, Gamble, Gowan, Kearnes, Malloch, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Murney, Parke, Robinson, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens, Woodruff*—33.

N A Y S .

Nays—3. Messrs. *McMicking, Small, Thorburn*—3.

Question carried—majority 30. The question was carried in the affirmative by a majority of thirty, and ordered accordingly.

Adjourned.

THURSDAY, 12th December, 1839.

The House met.

The minutes of yesterday were read.

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

Horatio Williams. By Mr. Morris, the petition of Horatio Williams, of the township of Kitley, in the district of Johnstown.

Cecil Mortimer. By Mr. Bockus, the petition of Cecil Mortimer, of the town of Picton.

Ashley Taylor. By Mr. Gowan, the petition of Ashley Taylor, Chamberlain of the township of Kitley, in the district of Johnstown.

Jeremiah Parke, and 269 others. And by Mr. Boulton, the petition of Jeremiah Parke and two hundred and sixty-nine others, of Port Hope and its vicinity, in the district of Newcastle; and the petition of William Clark and twenty-seven others, of the township of Mariposa.

William Clark, and 27 others. Pursuant to the order of the day, the Erie and Ontario Bank bill was read the third time, and passed.

Erie and Ontario bank bill passed. Title. Mr. Rykert, seconded by Mr. Thorburn, moves, that the bill be entitled, "An Act to incorporate sundry persons under the style and title of the President and Directors of the Erie and Ontario Bank of the Niagara District."

Sent to Leg. Council. Which was carried, and Messrs. Rykert and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to amend the Hastings district act passed. Pursuant to the order of the day, the bill to amend the act to erect the county of Hastings into a separate district, was read the third time, and passed.

Title. Mr. Murney, seconded by Mr. Manahan, moves that the bill be entitled, "An Act to alter and amend the Act authorising the erecting of the county of Hastings into a separate district."

Which was carried, and Messrs. Murney and Manahan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sent to Leg. Council.

Pursuant to the order of the day, the bill to explain the spirituous liquor license act was read the third time.

Bill to explain liquor license act read 3d time.

On the question for passing the bill,

In amendment—Mr. Attorney General, seconded by Mr. Murney, moves that the bill do not now pass, but that it be referred to a select committee, to be composed of the Solicitor General, and Messrs. Cartwright, Sherwood, Small and Thorburn, to report thereon.

Amendment on passing.

Which was carried and ordered.

Amendment carried.

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

Petitions read:

Of the President and Fellows of the College of Physicians and Surgeons of Upper Canada, praying for an amendment in the Act incorporating said College.

Of President, &c. of College of Physicians and Surgeons.

Of George Hamilton, third Clerk in the Receiver General's Department, praying that a deficiency in the estimate of his salary, for the present year, may be made good to him.

Of Geo. Hamilton.

Of John Kidd, Gaoler of the Home District, praying remuneration for the extra duties and responsibility which devolved upon him when in charge of the state prisoners.

Of John Kidd.

And of Mrs. Blackwood, of the town of Cornwall, praying for pecuniary aid to Female Schools.

Of Mrs. Blackwood.

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

Ordered—That the petition of the President and Fellows of the College of Surgeons and Physicians of Upper Canada, be referred to a select committee, consisting of Messrs. Chisholm of Halton and Bockus, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petitions referred:
President, &c. of College of Physicians to select committee

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

Ordered—That the petition of John Kidd be referred to a select committee, to consist of Messrs. Robinson and Parke, to report thereon.

John Kidd to sel. com.

Mr. Merritt gives notice that he will, on to-morrow, move for leave to read that part of the Journals of the last Session, relating to a petition for incorporating a company to construct a bridge over the Grand River, at York, in the County of Haldimand.

Notices:
Of reading Journals of last session on petition for incorporating a company to build a bridge over Grand River.

Mr. Attorney General gives notice that he will, on to-morrow, move for a select committee to enquire into and report on Immigration to this Province from the United Kingdom, and the best means of promoting the same.

Of committee on subject of immigration.

Mr. Bockus gives notice that he will, on to-morrow, move that it be resolved, that this House feel it a duty incumbent on them to express the high sense they entertain of the ability, uprightness, and impartiality with which His Excellency the Lieutenant Governor has discharged the arduous and important duties of his office since he assumed the administration of the public affairs of this Province, and that the Speaker do communicate a copy of the resolution to His Excellency.

Of resolution expressive of the sense of the House towards Sir G. Arthur during his administration.

Mr. Manahan gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying His Excellency to appropriate for the site of the Lunatic Asylum, certain eighty acres of land, or such portion of the same as may be deemed necessary, being the unoccupied portion of one hundred acres of land purchased for the uses and erection of the Provincial Penitentiary, near Kingston, upon which site, already paid for, at present waste, having the chief materials, limestone and lumber, in abundance upon the spot, the Asylum may be built by convict labour, at very little expense to the Province; and further, that His Excellency would be pleased to appoint new Commissioners to superintend the erection of the same.

Of address to His Exc'y on the subject of a site for the lunatic asylum.

Mr. Manahan gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying His Excellency to direct that a suitable proportion of either wing of the Provincial Penitentiary, at present unoccupied, or the General Hospital, at Kingston, be converted

Of address to His Exc'y on providing a refuge for lunatics.

into a temporary asylum for the very many unfortunates afflicted with lunacy in this Province, promising that this House will make good any reasonable expense that may be incurred in affording relief to such objects of distress.

Of reading Journals of last session on petition of C. Leggo.

Mr. Sherwood gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session, which refers to the petition of C. Leggo, and the report thereon.

Address to Her Majesty on importation of tea from U. States reported.

Mr. Thomson, from the committee to draft an address to Her Majesty, respecting the importation of Tea from the United States, reported a draft, which was received and read the first time.

2d reading to-morrow.

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

Com. report bill on resolution levying additional rate on Dalhousie district.

Mr. Sherwood, from the committee to draft a bill, pursuant to the resolution of this House, levying an additional assessment on the intended new district of Dalhousie, reported a draft, which was received and read the first time.

2d reading to-morrow.

Ordered—That the bill to levy an additional assessment on the new district of Dalhousie be read a second time to-morrow.

Com. report address to His Exc'y on the subject of responsible government.

Mr. Bockus, from the committee to draft an address to His Excellency the Governor General, for copy of any communications respecting Responsible Government, reported a draft, which was received and read the first time.

On the question for the second reading of the address to-morrow.

In amendment—Mr. Sherwood, seconded by Mr. Rykert, moves, that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Address read 2d time

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

Committed.

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

Mr. Merritt in the chair.

The House resumed.

Address reported.

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

The report was received.

On the question of the third reading of the address to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Cartwright, moves, that the address on responsible government be not read a third time to-morrow, but that it be read a third time this day.

3d reading this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

Address to His Exc'y on subject of clergy reserve bill of last session reported.

Mr. Boulton, from the committee to draft an address to His Excellency, the Lieutenant Governor, for information respecting the bill for the disposal of the Clergy Reserves, passed last Session, reported a draft, which was received, and read the first time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Cartwright, seconded by Mr. Boulton, moves, that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Address read 2d time.

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

Committed.

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

Mr. Robinson in the chair.

The House resumed.

Address reported

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

The report was received.

On the question of the third reading of the address to-morrow,

In amendment—Mr. Cartwright, seconded by Mr. Boulton, moves, that the address on the subject of the Clergy Reserves be not read a third time to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day. Address read 3d time.

Mr. Boulton, from the select committee to which was referred the petition of H. S. Reid and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Com. on petition of H. S. Reid and others, report Darlington Harbour bill.

The report was received, and the bill to extend the limits of Darlington harbor was read the first time. Bill read

Ordered—That the bill be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency, the Governor General, respecting the Union of Upper and Lower Canada. House in com. of whole on His Excellency's message on the Union.

Mr. Woodruff in the chair.

The House resumed.

The chairman reported that the committee had made some further progress, and asked leave to sit again this day. Progress reported—sit again this day.

The report was received, and leave was granted accordingly.

Pursuant to the order of the day, at One o'clock, p. m., the House proceeded to ballot for a committee on Finance. House proceeds to ballot for com. on Finance.

MEMBERS CHOSEN.

Messieurs BOCKUS,
MERRITT,
MORRIS,
THORBURN,
FERRIE,
RYKERT,
MCKAY,
ROBINSON,
MARKS. Committee on Finance

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, respecting the Union of Upper and Lower Canada. House in committee on message on Union.

Mr. Woodruff in the chair.

The House resumed.

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

The report was received, and leave was granted accordingly.

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

Ordered—That the committee of the whole on the Union of the Provinces of Upper and Lower Canada, be the first item on the order of the day for to-morrow, after receiving reports. First item after receiving reports.

Adjourned.

FRIDAY, 13th December, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

I. Fraser and 56 others,
President, &c., Com-
mercial Bank.

By Mr. Cartwright, the petition of Isaac Fraser, and fifty-six others, of the Midland District, and the petition of the President, Directors and Company of the Commercial Bank of the Midland District.

Stanous Daniels.

By Mr. Sherwood, the petition of Stanous Daniels, Inn-keeper, of the City of Toronto.

J. F. Maddock.

And by Mr. Gowan, the petition of John Ford Maddock, of the City of Toronto.

Address to His Exc'y
on Responsible Govern-
ment read 3d time.

Pursuant to the order of the day, the address to His Excellency the Governor General, for information respecting Responsible Government, was read the third time.

Division on passing.

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

Y E A S .

Yeas—41.

Messrs. Aikman, Bockus, Boulton, Burritt, Burwell, Caldwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Cook, Dellar, Duncombe, Gamble, Gowan, Jarvis, Kearnes, Lewis, Malloch, Marks, McCarger, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Morris, Murney, Parke, Powell, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Thomson, Wickens, Woodruff—41.

N A Y S .

Nays—3.

Messrs. Manahan, Small, Thorburn—3.

Address passed—
majority 38.

The question was carried in the affirmative by a majority of thirty-eight, and the address was passed and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address on the subject
of Responsible Govern-
ment.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to inform this House whether any communications have been received from Her Majesty's Principal Secretary of State for the Colonies, on the subject of Responsible Government, as recommended in the report of the Earl of Durham, or as suggested in any other manner, and if any such despatches have been received, or any by which the opinion of Her Majesty's Government upon that subject can be collected, that Your Excellency will cause copies of the same to be transmitted for the information of this House.

ALLAN N. MACNAB,
SPEAKER.Commons House of Assembly,
Thirteenth day of December, 1839. }

Pursuant to the order of the day, the address to His Excellency the Governor General, for information respecting the bill for the disposal of the Clergy Reserves, passed last Session, was read the third time and passed, and is as follows:—

Address to His Exc'y on the Clergy Reserve bill of last session passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to enquire of Your Excellency if it is in your power to inform this House if any action has been had by Her Majesty's Government or the Imperial Legislature on the bill passed by both branches of the Provincial Legislature of this Province, entitled, "An Act to dispose of the Lands commonly called Clergy Reserves, and for other purposes therein mentioned."

Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Thirteenth day of December, 1839. }

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

Petitions read:

Of H. W. Peterson, proprietor of the "*Canada Museum*," newspaper, published at Berlin, in the district of Gore, praying for authority to print His Excellency's Speech at the opening of the Session in German.

Of H. W. Peterson.

Of John Somerset, and five hundred and eighty-two others, of the Home District, praying for improvement of a certain road.

Of John Somerset and others.

And of D. McDiarmid, late a Lieutenant in the Glengarry Militia, praying for the arrears of his pension.

Of D. McDiarmid.

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

Ordered—That the petition of Mrs. Blackwood be referred to a select committee, composed of Messrs. Hotham, Burwell and McLean, with power to report thereon by bill or otherwise.

Petitions referred:
Mrs. Blackwood to select committee.

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

Ordered—That the petition of John Somerset, and others, be referred to the committee on roads and bridges.

J. Somerset and others to committee on roads and bridges.

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

Ordered—That the petition of H. W. Peterson be referred to the committee on printing.

H. W. Peterson to committee on printing.

On motion of Mr. Small, seconded by Mr. McDonell of *Stormont*,

Ordered—That the petition of George Hamilton, of the City of Toronto, be referred to a committee of the whole on supply.

Geo. Hamilton to committee on supply.

Mr. Thorburn gives notice that he will, on to-morrow, move that the following resolution be one of the standing orders of this House:—

Notices:

Resolved—That in all cases, when committees or commissioners shall be appointed by ballot by this House, the number of votes given for each Member, so chosen, shall be inserted in the Journals after each Member's name.

Of standing order, that when a ballot is taken, the number of votes given to each member to be recorded in Journal.

Mr. Thorburn gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to procure, to be placed in the Library of the Provincial Legislature, a printed copy of the despatches of Lord Glenelg and Sir Francis B. Head, Baronet, as printed by order of the House of Commons, on the 22d March last.

Of address to His Exc'y to place in the library a copy of Lord Glenelg and Sir F. B. Head's despatches.

Of bill to regulate weights and measures.

Mr. Aikman gives notice that he will, on Tuesday next, move for leave to bring in a bill to alter and amend An Act passed in the fourth year of the reign of George the Fourth, entitled, "An Act to repeal an Act passed in the thirty-second year of the reign of His Majesty George the Third, entitled, 'An Act to establish the Winchester measures throughout this Province, and to appropriate a sum of money for the purpose of obtaining a standard for weights and measures.'"

Of bill to continue the provisions of the L'Original road bill of last session.

Mr. McDonell of *Stormont* gives notice that he will, on to-morrow, move for leave to bring in a bill to continue the provisions of an Act passed the last Session of the present Parliament, entitled, "An Act granting to Her Majesty a sum of money for the improvement of the post road between Cornwall and L'Original.

Of notice to allow members of Legislative Council, in certain cases, the same compensation as members of Assembly.

Mr. Boulton gives notice that he will, on to-morrow, move that this House do resolve itself into a committee of supply, for the purpose of granting the like compensation to Members of the Legislative Council, residing at a distance from the seat of government, and attending the Legislature, as is now paid to Members of this House.

Com. report answer of His Exc'y to address for Lord J. Russell's despatch.

Mr. Small, from the committee to wait on His Excellency the Governor General, with the address of this House for copy of Lord John Russell's despatch, of 16th October, 1839, verbally reported, that having delivered the same, His Excellency had been pleased to say, that he would transmit a copy of the despatch by message.

Com. report address on canal reserves in Murray.

Mr. Powell, from the committee to draft an address to His Excellency the Governor General, respecting certain canal reserves in the township of Murray, reported a draft, which was received and read the first time.

2d reading to-morrow.

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

Com. of whole on His Exc'y's message respecting the Union.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, respecting the Union of Upper and Lower Canada.

Mr. Woodruff in the chair.

House resumes to receive message from His Excellency.

Mr. Speaker resumed the chair, to receive a message from His Excellency the Governor General.

Committee resumes.

The Chairman resumed the chair of committee.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

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

Com. of whole on Union to-morrow, first item after reports.

Ordered—That the committee of the whole, on the subject of the Union, be the first item on the order of the day, on to-morrow, after receiving reports.

Messages from His Exc'y the Gov. General.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down, from His Excellency the Governor General, two messages with documents.

The messages were read by the Speaker as follows :—

CHARLES POULETT THOMSON.

Message, with Lord John Russell's despatch.

In answer to the address from the House of Assembly, of the 10th instant, the Governor General transmits, herewith, copy of the despatch of Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, to the Lieutenant Governor, of this Province, dated the 18th October, 1839, and published, by command of the Governor General, in the *Upper Canada Gazette*, of the 5th instant.

Toronto, 13th December, 1839.

CHARLES POULETT THOMSON.

Message, with return of population of Belleville.

In answer to the address from the House of Assembly, of the 9th instant, the Governor General transmits, herewith, the Returns of the Population of the Town of Belleville, which have been transmitted to the Government Office.

Toronto, 13th December, 1839.

The documents are as follows:—

(COPY.) No. 23.

DOWNING STREET,

16th October, 1839.

SIR,

I am desirous of directing your attention to the tenure on which public offices, in the gift of the Crown, appear to be held throughout the British Colonies. I find that the Governor himself, and every person serving under him, are appointed during the Royal pleasure, but with this important difference,—the Governor's Commission is in fact revoked whenever the interests of the public service are supposed to require such a change in the administration of local affairs—but the commissions of all other public officers are very rarely indeed recalled, except for positive misconduct. I cannot learn that during the present or the two last reigns, a single instance has occurred of a change in the subordinate colonial officers, except in cases of death or resignation, incapacity or misconduct. This system of converting a tenure at pleasure into a tenure for life, originated probably in the practice which formerly prevailed of selecting all the higher class of colonial functionaries from persons who at the time of their appointment were resident in this country; and amongst other motives which afforded such persons a virtual security for the continued possession of their places, it was not the least considerable that, except on those terms they were unwilling to incur the risk and expense of transferring their residence to remote and often unhealthy climates. But the habit which has obtained of late years, of preferring, as far as possible, for places of trust in the colonies, persons resident there, has taken away the strongest motive which could thus be alleged in favor of a practice to which there are many objections of the greatest weight. It is time, therefore, that a different course should be followed; and the object of my present communication is to announce to you the rules which will hereafter be observed on this subject, in the Province of Upper Canada.

Despatch from Lord J. Russell.

You will understand, and will cause it to be made generally known, that hereafter the tenure of colonial offices, held during Her Majesty's pleasure, will not be regarded as equivalent to a tenure during good behaviour, but that not only such officers will be called upon to retire from the public service, as often as any sufficient motives of public policy may suggest the expediency of that measure, but that a change in the person of the Governor will be considered as a sufficient reason for any alterations which his successor may deem it expedient to make in the list of public functionaries—subject, of course, to the future confirmation of the Sovereign.

These remarks do not extend to judicial offices, nor are they meant to apply to places which are altogether ministerial, and which do not devolve upon the holders of them duties, in the right discharge of which the character and policy of the government are directly involved. They are intended to apply rather to the heads of departments than to persons serving as clerks, or in similar capacities under them; neither do they extend to officers in the service of the Lords Commissioners of the Treasury. The functionaries who will be chiefly, though not exclusively affected by them, are the Colonial Secretary; the Treasurer, or Receiver General; the Surveyor General; the Attorney and Solicitor General; the Sheriff, or Provost Marshall; and other officers who, under different designations from these, are entrusted with the same or similar duties. To this list must also be added the Members of the Council, especially in those colonies in which the Legislative and Executive Councils are distinct bodies.

The application of these rules to officers to be hereafter appointed, will be attended with no practical difficulty. It may not be equally easy to enforce them in the case of existing officers, and especially of those who may have left this country for the express purpose of accepting the offices they at present fill. Every reasonable indulgence must be shewn for the expectations which such persons have been encouraged to form. But even in these instances it will be necessary that the right of enforcing these regulations should be distinctly maintained in practice as well as in theory, as often as the public good may clearly demand the enforcement of them. It may not be unadvisable to compensate any such officers for their disappointment, even by pecuniary grants, when it may appear unjust to dispense with their services without such an indemnity.

I have, &c.

(Signed)

J. RUSSELL.

A true copy.

THOS. C. MURDOCH,

Chief Secretary.

(COPY.)

*ABSTRACT of the Census of the Town of Belleville, in the County of Hastings, in the District of Victoria, in the Province of Upper Canada, for the year 1839.*Census of Town of
Belleville.

NUMBER OF MALES.		NUMBER OF FEMALES.	
Over 16 years of age.	Under 16 years of age.	Over 16 years of age.	Under 16 years of age.
441	304	400	322

RECAPITULATION.

Males over the age of 16,.....	441
Males under the age of 16,.....	304
Females over the age of 16,.....	400
Females under the age of 16,.....	322
Total,....	1467

I, Edmund Murney, Clerk of the Peace of the District of Victoria, hereby certify, that the above is a true and faithful abstract of the Census of the Town of Belleville, for the year 1839, the original being lodged in my office, shewing four hundred and forty-one males, over the age of sixteen, and three hundred and four under that age; four hundred females, over the age of sixteen, and three hundred and twenty-two under that age, making a total of one thousand four hundred and sixty-seven.

(Signed), EDMUND MURNEY,
Clerk of the Peace, District of Victoria.

Adjourned.

SATURDAY, 14th December, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

Of L. Lawrason and 57
others.

By Mr. Burwell, the petition of L. Lawrason, and fifty-seven others of the District of London.

Of Robert Lang and 76
others.

And by Mr. McKay, the petition of Robert Lang, J.P., and seventy-six others, of the County of Russell.

Petitions read:

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

Horatio Williams.

Of Horatio Williams of the township of Kitley, in the district of Johnstown, praying to be naturalized.

Cecil Mortimer.

Of Cecil Mortimer of the town of Picton, representing the evils arising to the Province from the want of a general system of education.

Ashley T. Chamberlain.

Of Ashley Taylor Chamberlain, of the township of Kitley, in the district of Johnstown, praying to be naturalized.

J. Parker and others.

Of Jeremiah Parker, and two hundred and sixty-nine others of Port Hope and its vicinity, in the district of Newcastle, praying for certain alterations in the Law of Treason.

And of William Clark, and twenty-seven others, of the the township of Mari-
posa, praying that the inhabitants of said township may be compelled to perform
double the usual amount of statute labor for three years.

Wm. Clark and others.

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

Ordered—That the petition of Horatio Williams be referred to a select committee,
consisting of Messrs. Gowan and Bockus, to report thereon by bill or otherwise.

Petitions referred:
Horatio Williams to
select committee.

Mr. Thomson, from the select committee on Roads and Bridges, presented a first
report and the draft of an address to His Excellency the Governor General, which
were received.

Committee on roads and
bridges present report
and address.

The report was read as follows :—

To the Honorable the Commons House of Assembly:

The Select Committee, to whom was referred the subject of roads and bridges
throughout this Province, beg leave to present, as their first report, the draft of an address to His
Excellency the Governor General.

Address.

E. W. THOMSON,

Chairman.

Committee Room, House of Assembly, }
Fourteenth December, 1839.

The address to His Excellency was read the first time.

Address read.

Ordered—That the address to His Excellency the Governor General, on the
subject of the road monies, be read a second time on Monday next.

2d reading Monday next

Mr. Sherwood, from the committee to wait on His Excellency the Governor
General, with the address of this House, for information respecting the terms of the
proposed Union of Upper and Lower Canada, reported delivering the same, and that
His Excellency had been pleased to make thereto the following answer :—

Com. report answer of
His Exc'y to address on
proposed terms of Union

The Governor General will communicate his answer to this address by message.

Answer.

Mr. Boulton, from the committee to wait on His Excellency the Governor General,
with the address of this House, for information respecting the bill for the disposal of
the Clergy Reserves, passed last Session, reported delivering the same, and that His
Excellency had been pleased to make thereto the following answer :—

Com. report answer of
His Exc'y to address on
Clergy Reserve bill of
last session.

The Governor General will communicate his answer to this address by message.

Answer.

Mr. Morris, from the committee to wait on His Excellency the Governor General,
with the address of this House, for information respecting Responsible Government,
reported delivering the same, and that His Excellency had been pleased to make
thereto the following answer :—

Com. report answer of
His Exc'y to address on
subject of Responsible
Government.

GENTLEMEN,

The Governor General will transmit his answer to this address by message.

Answer.

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

Ordered—That the answer of His Excellency the Governor General to the address
of this House, with the return of the population of the town of Belleville, be referred to
a select committee, to be composed of Messrs. Attorney General and Boulton, with
power to report thereon.

Answer of His Exc'y
to address for population
of Belleville referred to
select committee.

Com. of whole on message of His Exc'y on subject of Union.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency, the Governor General, on the subject of the Union of Upper and Lower Canada.

Mr. Woodruff in the chair.

The House resumed.

Progress reported—sit again Monday next.

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

The report was received, and leave was granted accordingly.

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

Com. of whole on Union first item after reports.

Ordered—That the committee of the whole on the Union of the Provinces of Upper and Lower Canada, be the first item on the order of the day on Monday, after receiving reports.

Adjourned.

MONDAY, 16th December, 1839.

The House met.

The minutes of Saturday were read.

Petitions brought up:

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

Jno. Mewburn, J. P.

By Mr. Thorburn, the petition of John Mewburn, J. P., of the District of Niagara.

Of R. Nelles, J. P., and 63 others.

By Mr. Rykert, the petition of Robert Nelles, J. P., and sixty-three others, of Grimsby, in the district of Niagara.

Of E. Barnum, J. P. and 103 others.

By Mr. Ruttan, the petition of E. Barnum, J. P., and one hundred and three others.

Saml. Hodgkinson.

By Mr. Rykert, the petition of Samuel Hodgkinson, of the township of Grantham, in the District of Niagara.

Jas. Mitchell.

By Mr. Burwell, the petition of James Mitchell.

W. B. Vanevery.

By Mr. Ferrie, the petition of W. B. Vanevery, Chairman of the Quarter Sessions of the District of Gore, and sixteen others.

Rev. Robert McGill and Rev. A. Gale.

By Mr. Morris, the petition of the Reverend Robert McGill, Moderator, and the Reverend Alexander Gale, Clerk, of the Synod of the Presbyterian Church of Canada.

Jacob Carpenter.

And by Mr. McLean, the petition of Jacob Carpenter, and one hundred and eighty-three others, of the County of Stormont.

Petitions read:

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

Of J. Fraser and 56 others.

Of Isaac Fraser, and fifty-six others, of the Midland District, praying for certain alterations in the law of treason.

Of President, &c., Commercial Bank.

Of the President, Directors and Company of the Commercial Bank of the Midland District, praying that the capital stock of that institution may be increased to £500,000.

Of Stanous Daniels.

Of Stanous Daniels, Inn-keeper, of the City of Toronto, praying remuneration for expenses incurred by him in fitting up his buildings for the reception of Militia.

Of J. F. Maddock.

And of John Ford Maddock, of the city of Toronto, praying to be admitted to practice as an attorney of the Court of Queen's Bench without service under articles.

Notice of reading Journals on petition of J. Sampson.

Mr. Manahan gives notice that he will, to-morrow, move for the reading of so much of the Journals of the last Session as relates to the petition of James Sampson, Esquire, as physician to the Penitentiary.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, respecting the Union of Upper and Lower Canada. Com. of whole on message of His Exc'y on Union of the Provinces.

Mr. Woodruff in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

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

Ordered—That the committee of the whole, on the Union of the Provinces, be the first item on the order of the day, to-morrow, after receiving reports. First item to-morrow after reports.

Pursuant to notice, Mr. Attorney General, seconded by Mr. Murney, moves that a select committee be appointed to enquire into the state of emigration to this Province, and the best means of promoting the same, and that Messrs. Robinson, Cartwright, Ruttan, and Small, be the committee, with power to send for persons and papers, and leave to report by bill or otherwise. Committee appointed on emigration.

Which was carried and ordered.

Adjourned.

TUESDAY, 17th December, 1839.

The House met.

The minutes of yesterday were read.

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

By Mr. McLean, the petition of the Reverend George Archbold, and one hundred and seven others, of the Eastern District. Rev. Geo. Archbold.

By Mr. Hotham, the petition of John McDonald and Hamilton B. Mears, commissioners for expending certain road moneys in the district of Ottawa, in the year 1816, J. McDonell and H. B. Mears.

And by Mr. McKay, the petition of N. Sparks, and eight hundred and four others, residing within the limits of the intended new district of Dalhousie. N. Sparks.

Pursuant to the order of the day, the bill to amend the election laws was read the third time. Election amendment bill read third time.

On the question for passing the bill, On question for passing,

In amendment—Mr. Boulton, seconded by Mr. Sherwood, moves that the Election Bill do not now pass, but that it be recommitted on Thursday next to a committee of the whole House. Amendment.

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

Y E A S.

Messrs. Aikman, Boulton, Burwell, Caldwell, Duncombe, Elliott, Ferrie, Hotham, Hunter, Jarvis, Kearnes, Lewis, Manahan, McCrae, McDonell of Northumberland, Murney, Powell, Robinson, Ruttan, Shade, Sherwood, Wickens—22. Yeas—22.

N A Y S.

Messrs. Burritt, Chisholm of Glengarry, Cook, Dettor, Gowan, Marks, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McLean, McMicking, Moore, Morris, Parke, Shaver, Thomson, Thorburn, Woodruff—19. Nays—19.

Amendment carried—
majority 3.

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

Petitions read:

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

Of L. Lawrason.

Of L. Lawrason, and fifty-seven others, of the district of London, praying for the improvement of the navigation of the River Thames, from London to Chatham.

Of Robert Laing, J.P.,
and 76 others.

And of Robert Laing, J.P., and seventy-six others, of the county of Russell, praying for certain amendments in the law of treason.

Petition of L. Lawrason
referred to sel. com.

On motion of Mr. Burwell, seconded by Mr. McLean, moves that the petition of L. Lawrason, Esquire, and others, be referred to a committee, consisting of Messrs. Parke and McCrae, to report thereon.

Notices:

Of address to His Exc'y
on subject of certain
medals.

Mr. Shade gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Lieutenant Governor, praying that he will cause such information to be laid before this House as can be procured, regarding certain gold and silver medals, which were sent out to this country, to be distributed among the Militia, who defended it during the late war, and which medals are now said to be deposited in the Bank of Upper Canada.

Of address to His Exc'y
for suits commenced by
Canada Company.

Mr. Shade gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that he will cause a return to be made, by the Clerk of the Crown, and laid before this House, of all suits commenced by the Canada Company within the last twelve months.

Of bill to amend the
militia laws.

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

Of address to Her
Majesty to alter Canada
Trade Act.

Mr. Boulton gives notice that he will, on Wednesday next, move that an humble address be presented to Her Majesty, beseeching Her Majesty to submit to the Imperial Parliament the expediency of so altering the Canada Trade Act, as that a duty may be imposed upon wheat coming into this Province from the United States, similar to that paid on wheat exported from this Province to the United States.

Com. present report and
address on petition of
W. G. Gilbert.

Mr. Aikman, from the select committee, to which was referred the petition of W. G. Gilbert and others, presented a report and the draft of an address to His Excellency the Governor General, which were received.

The report was read as follows:—

To the Honorable the Commons House of Assembly:

The Committee to which was referred the petition of W. G. Gilbert and others, contractors for Macadamizing the road from Hamilton to Brantford, beg leave to report that they have examined the said petition, and find that the contractors have not yet been paid the amount due upon their contracts, and that unless the same is soon paid to them, the loss to them may be serious, and therefore your Committee recommend to your Honorable House to pass the accompanying address to His Excellency, the Governor General, praying that he will be pleased to authorise the issuing of debentures for the amount, or adopt such other measures as he may deem fit and proper in the premises.

All which is respectfully submitted.

MICHAEL AIKMAN,
Chairman.

Committee Room,
Sixteenth December, 1839. }

Second reading address
to-morrow.

The address was read the first time, and ordered for a second reading to-morrow.

Com. of whole on mes-
sage of His Exc'y on
subject of Union.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, relative to the Union of Upper and Lower Canada.

Mr. Woodruff in the chair.

Mr. Speaker resumed the chair, to receive a message from His Excellency the Governor General.

Message from His
Excellency.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had made some further progress, and asked leave to sit again this day.

Com. on Union report progress—sit again this day.

The report was received, and leave granted accordingly.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down, from His Excellency the Governor General, several messages and documents.

Messages and documents from His Excellency reported.

The messages were read by the Speaker as follows:—

CHARLES POULETT THOMSON:

In answer to the address of the House of Assembly of the 11th instant, the Governor General has to state, that by his Message to both Houses of the Provincial Legislature, he has already explained the principles upon which Her Majesty's Government desire to effect the Re-union of this Province with Lower Canada, and the terms upon which it can, in his opinion, be established.

Message transmitting bill on the subject of the Union.

In accordance with the wish of the House of Assembly, the Governor General transmits a copy of the bill introduced into Parliament last Session by Her Majesty's Government, and which was afterwards withdrawn; but he must at the same time state to the House of Assembly, that, as one of the principal objects of his mission was to procure information upon which to enable Her Majesty's Government to submit a new measure to Parliament, better calculated to effect the object of good government in these Provinces, this bill cannot be considered as embodying the provisions which may hereafter be adopted.

It will be the duty of the Governor General, acting upon the information which he shall have acquired, to make many important suggestions for that purpose in conformity to the principles and terms laid down in his Message; and he is already prepared to state, that it is his intention to recommend to Her Majesty's Government, in the new measure which must be introduced, to adhere as much as possible to existing territorial divisions for electoral purposes, and to maintain the principle of the constitutional act of 1791 with regard to the tenure of seats in the Legislative Council.

If, as the Governor General confidently hopes, the House of Assembly should think proper to assent to the terms proposed by him in his Message, and should hereafter offer any recommendations upon matters connected with the measure, it will be his duty to transmit them for the consideration of the Government and of the Imperial Parliament; and he begs to assure the House of Assembly, that they will receive the most respectful attention.

Toronto, }
17th December, 1839. }

CHARLES POULETT THOMSON:

The Governor General transmits to the House of Assembly, in compliance with the provision contained in the sixteenth section of the Act of the 7th Wm. IV., chap. 92, the report of the Board of Directors of the Welland Canal, accompanied by an account and vouchers, for the year ending the 30th of November last.

Message with Welland Canal papers.

Toronto, }
16th December, 1839. }

CHARLES POULETT THOMSON:

In answer to their address of the 11th instant, the Governor General has to acquaint the House of Assembly that, by a despatch received from the Secretary of State for the Colonial Department, with reference to the joint address of both Houses of the Legislature of this Province, requesting Her Majesty to confer some mark of Her Royal approbation on Andrew Drew, Esquire, of the Royal Navy, it appears that that question is still under the consideration of Her Majesty's Government.

Message in answer to address on subject of Captain Drew.

Toronto, }
16th December, 1839. }

CHARLES POULETT THOMSON:

The Governor General transmits herewith to the House of Assembly, copies of the accounts of all sales and expenditure respecting the public lands of this Province, furnished by the Commissioner of Crown Lands, in conformity with the 24th clause of the act 7th Wm. IV., chap. 118.

Message with accounts from Crown Land Commissioner.

Toronto, }
17th December, 1839. }

For *Bill to Unite the Provinces of Upper and Lower Canada,*
Documents relating to the Welland Canal, and
Account of Sales, &c. of Public Lands—(See Appendix).

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

Message in relation to the Union referred.

Ordered—That the message of His Excellency the Governor General, transmitting a copy of the bill for Uniting the Canadas, introduced into the Imperial Parliament last Session, be referred to the committee of the whole on the subject of the Union.

Com. of whole on message of His Exc'y on subject of the Union.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency, the Governor General, on the subject of the Union of Upper and Lower Canada.

Mr. Woodruff in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave was granted accordingly.

Address of thanks ordered.

On motion of Mr. Aikman, seconded by Mr. Kearnes,

Ordered—That an humble address be presented to His Excellency the Governor General, thanking him for the several messages transmitted to the House of Assembly this day, and that Messrs. Marks and Ferrie be a committee to draft and report the same.

Com. of whole on Union first item after reports.

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

Ordered—That the committee of the whole, on the Union, be the first item on the order of the day, on Thursday next.

200 copies of message on Union to be printed.

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

Ordered—That two hundred copies of the message of His Excellency the Right Honorable the Governor General, in answer to the address of this House, requesting information on the subject of the Union of the Provinces, be printed for the use of Members.

Adjourned.

WEDNESDAY, 18th December, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

Trustees Queenston and Grimsby road.

By Mr. Rykert, the petition of the trustees for Macadamizing the Queenston and Grimsby road.

Jos. Aumand.

By Mr. McKay, the petition of Joseph Aumond and four hundred and fifty-eight others, of the town of Bytown.

M. Laing.

By Mr. Thorburn, the Petition of Malcolm Laing, of the town of Niagara.

J. Douglass, J. P., and 100 others.

By Mr. Parke, the petition of John Douglass, J. P., and one hundred others, of the town of London.

Jas. Jessup and 47 others.

By Mr. Sherwood, the petition of James Jessup and forty-seven others, of the town of Brockville.

And by Mr. Richardson, the petition of the Magistrates of the district of Niagara, in General Quarter Sessions assembled; the petition of Charles Donaldson and ninety-six others, of the district of Niagara; and the petition of the Magistrates of the district of Niagara, in General Quarter Sessions assembled.

Magistrates Niagara District.
Chas. Donaldson and 96 others.
Magistrates of district of Niagara.

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

Petitions read:

Of John Mewburn, J. P., of the district of Niagara, praying remuneration for the destruction of his property by an incendiary, in revenge for his committing a man to prison for endeavoring to induce soldiers to desert.

Jno. Mewburn, J. P.

Of Robert Nelles, J. P., and sixty-three others, of Grimsby, in the district of Niagara, praying for certain alterations in the law of treason.

Of R. Nelles, J.P., and 63 others.

Of E. Barnum, J. P., and one hundred and three others, praying the same.

Of E. Barnum, J.P. and 103 others.

Of Samuel Hodgkinson, of the township of Grantham, in the district of Niagara, praying for the arrears of his pension.

Of Saml. Hodgkinson.

Of James Mitchell, praying for a small annuity, in consideration of his long public services as judge of the London District Court.

Of Jas. Mitchell.

Of Wm. B. Vanevery, Chairman of the Quarter Sessions of the Gore District, and sixteen others, praying for the alteration of a certain line of road, and that the land forming the old line may be given in exchange for an equal quantity to form the new line.

Of W. B. Vanevery.

Of the Reverend Robert McGill, Moderator, and the Reverend Alexander Gale, Clerk of the Synod of the Presbyterian Church of Canada, praying for the passing of an act vesting certain lands in trustees, to assist in the establishment of a college in connexion with the Presbyterian Church.

Of Rev. Robert McGill.

And of Jacob Carpenter and one hundred and eighty-three others, of the county of Stormont, praying for certain alterations in the law of treason.

Of Jacob Carpenter.

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

Ordered—That the petition of Stanous Daniels be referred to a select committee, composed of Messrs. Morris and Gowan, with power to send for persons and papers, and to report thereon.

Petitions referred:
Of Stanous Daniels to select committee.

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

Ordered—That the petition of Ashley Taylor Chamberlain, be referred to a select committee, consisting of Messrs. Morris, Sherwood, and Bockus, with power to report by bill or otherwise.

Of A. T. Chamberlain to select committee.

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

Ordered—That the petition of William Clarke and others be referred to the Committee on roads and bridges.

Of Wm. Clarke and others to committee on roads and bridges.

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

Ordered—That the petition of Samuel Hodgkinson be referred to a select committee, composed of Messrs. Richardson and Thornburn, with power to send for persons and papers, and to report thereon.

Of S. Hodgkinson to select committee.

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

Ordered—That the petition of William B. Vanevery and others be referred to a select committee, consisting of Messrs. Chisholm of Halton, and Aikman, with power to report thereon by bill or otherwise.

Of W. B. Vanevery to select committee.

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

Ordered—That the petition of Robert McGill be referred to a select committee, consisting of Messrs. Thornburn and Thomson, to report thereon by bill or otherwise.

Of Robert McGill to select committee.

On motion of Mr. McDonell of Glengarry, seconded by Mr. McLean,

Ordered—That the petition of Lieutenant Donald McDiarmid, of the Glengarry Militia, be referred to a select committee, composed of Messrs. McLean and Chisholm of Glengarry, with power to report thereon.

Of Lt. D. McDiarmid to select committee.

Mr. Sherwood, seconded by Mr. Elliott, moves, that the several petitions, praying that certain persons who have been concerned in the late rebellion, and who have been

Motion to refer all petitions on subject of disfranchising certain persons to select com.

concerned in the proceedings of certain societies called Hunters' Lodges, may be disfranchised, be referred to a select committee, consisting of Messrs. Cartwright, Boulton, Ruttan, and Rykert, with power to send for persons and papers, and to report thereon by bill or otherwise.

Division:

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

Y E A S .

Yeas—38.

Messrs. *Aikman, Bockus, Boulton, Burritt, Caldwell, Cartwright, Chisholm* of Glengarry, *Cook, Duncombe, Elliott, Ferrie, Gamble, Gowan, Hunter, Kearnes, Lewis, Marks, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, Merritt, Moore, Morris, Murney, Parke, Powell, Richardson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Thomson, Thorburn, Woodruff*—38.

N A Y S .

Nays—3.

Messrs. *Detlor, McCargar, McIntosh*—3.

Question carried—majority 35.

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

Notices :

Message and documents on subject of Crown Lands referred to select committee.

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

Ordered—That the Message of His Excellency, the Governor General, of yesterday, transmitting the accounts of sales of land by the Commissioners of Crown Lands, be referred to a select committee, to consist of Messrs. Cartwright and Morris, with power to send for persons and papers, and to report thereon.

Of bill to establish Mutual Insurance Companies.

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

Of bill to amend Brock District Act.

Mr. Hunter gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend the act entitled, "An Act to authorise the erection of the county of Oxford into a separate District, by the name of the District of Brock.

For reading Journals on petition for taxing lands for roads.

Mr. Merritt gives notice that he will, on to-morrow, move for leave to read that part of the journals relative to a petition from sundry inhabitants for taxing certain land for the repair of roads adjoining thereto.

Address of thanks reported.

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

On the question for the second reading of the address to-morrow.

In amendment—Mr. Marks, seconded by Mr. Aikman, moves that the address be read a second time forthwith.

Address read 2d time and concurred in.

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

Address passed.

The address was then read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address of thanks.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank Your Excellency for your several messages of Tuesday, of the seventeenth instant.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Eighteenth day of December, 1839. }

Messrs. Marks and Aikman were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill to extend the limits of Port Darlington harbour, was read the second time.

Port Darlington Harbor Bill read second time.

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

Committed.

Mr. Detlor in the chair.

The House resumed.

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

Bill reported.

The report was received.

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

3d reading to-morrow.

Pursuant to notice, Mr. Bockus, seconded by Mr. Morris, moves for leave to bring in a bill to provide for the Inspection of Fish taken within this Province, and for other purposes.

Fish Inspection Bill brought in.

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

Bill read.

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

2d reading to-morrow.

Pursuant to notice, Mr. Small, seconded by Mr. D. Æ. Macdonell, moves that it be *Resolved*, that that portion of the Speech of His Excellency the Governor General, at the opening of the present Session, which states: "The condition of the Public Departments in the Province will require your best attention," be referred to a select committee, with power to send for persons and papers, and to report thereon, and that Messrs. Thorburn, Merritt, Bockus and Ferrie do compose said committee.

His Excellency's speech (Public Departments) referred to committee.

Which was carried and ordered.

Pursuant to notice, Mr. Gowan, seconded by Mr. Morris, moves that the thanks of this House be presented to the Right Honorable Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, for the sentiments contained in His Lordship's despatch, dated Downing Street, 16th October, 1839, and addressed to His Excellency the Lieutenant Governor of this Province; sentiments which this House has no reason to doubt will be fully carried out, and which will enable the people of this loyal, but distracted Colony, hereafter to enjoy the practical benefits and blessings of that Constitutional Responsibility enjoyed by our fellow subjects in Great Britain, and which must prove the surest and safest guarantee for the future peace and prosperity of the Colony, and the maintenance of its "eternal connexion" with the Parent State.

Motion for thanks of the House to Lord J. Russell for his despatch dated 16th Oct., 1839.

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

Division:

Y E A S .

Messrs. *Aikman, Cook, Duncombe, Gowan, Manahan, McCargar, McIntosh, Morris, Parke, Ruttan, Thomson, Thorburn, Woodruff*—13.

Yeas—13.

N A Y S .

Messrs. *Bockus, Burrill, Burwell, Cartwright, Chisholm of Halton, Detlor, Dunlop, Elliott, Hotham, Jarvis, Kearnes, Lewis, Malloch, Marks, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, Murney, Powell, Richardson, Shade, Wickens*,—24.

Nays—24.

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

Motion lost—majority 11.

Pursuant to notice, Mr. Manahan, seconded by Mr. Kearnes, moves, that so much of the journals of this House of the last Session as relates to the petition of John Dormer, Esquire, M. D., claiming compensation for professional services during the cholera of 1834, be read.

Journals of last session, of petition of Dr. Dormer, read.

Which was carried, and the journals were read accordingly.

Subject of Dr. Dormer's petition of last session referred to committee.

Mr. Manahan, seconded by Mr. McDonell of *Northumberland*, moves, that that part of the journals that relates to the petition of John Dormer, praying for remuneration for services, be referred to a select committee, with leave to report, and that Messrs. Marks and Kearnes be that committee.

Which was carried and ordered.

Address to His Excellency on subject of certain school reservations.

Pursuant to notice, Mr. Manahan, seconded by Mr. Kearnes, moves, that an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct that the school land reservations in the townships of Bedford and Sheffield, in the Midland District, be withdrawn, and that other reservations in lieu thereof be made in the unsurveyed township now called Clarendon, in the said district, as those reservations have proved a great hindrance to the settlement of said district; and further, that His Excellency would be graciously pleased to direct that the ungranted lands in the rear townships of the Midland District and District of Victoria be open for location for actual settlement, or set up for sale at an upset price of four shillings per acre, and that Messrs. Murney and McDonell be a committee to draft, report, and present the same.

Which was carried and ordered.

Bill to compel persons to take oaths in certain cases read the 2d time.

Pursuant to the order of the day, the bill to compel certain persons to make oath respecting the length of their residence in the Province, was read the second time.

Committed.

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

Captain Dunlop in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

On question for receiving report.

On the question for receiving the report,

Amendment referred to committee on Hunters' Lodges.

In amendment, Mr. Bockus, seconded by Mr. Morris, moves, that the bill requiring certain persons to take an oath before giving their votes at elections, be referred to the select committee, to whom was referred the several petitions relative to Hunters' Lodges.

Which was carried and ordered.

Bill to compel certain persons to perform statute labour, read second time.

Pursuant to the order of the day, the bill to compel certain persons to perform statute labor, was read the second time.

Committed.

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

Mr. Cartwright in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

On the question for receiving the report,

Amendment, bill referred to committee.

In amendment—Mr. Marks, seconded by Mr. Aikman, moves, that the bill relating to statute labor be referred to the committee on roads and bridges.

Which was carried and ordered.

Home District Quarter Sessions' Bill brought in Bill read.

Pursuant to notice, Mr. Gamble, seconded by Mr. Ruttan, moves for leave to bring in a bill to alter the times of holding the General Quarter Sessions of the Peace for the Home District.

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

2d reading to-morrow.

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

Bill to restrain duelling brought in.

Pursuant to notice, Mr. Boulton, seconded by Mr. Cartwright, moves for leave to bring in a bill to restrain the practice of duelling.

Bill read.

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

2d reading to-morrow.

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

Bill to restrain the introduction of spirituous liquor into gaols brought in.

Pursuant to notice, Mr. Morris, seconded by Mr. Bockus, moves for leave to bring in a bill to restrain the practice of secretly introducing spirituous liquors into common gaols in this Province.

Which was granted and the bill was read the first time.	Bill read.
<i>Ordered</i> —That the bill be read a second time to-morrow.	2d reading to-morrow.
Pursuant to the order of the day, the bill to amend the registry laws was read the second time.	Registry law amendment bill read 2d time.
The House was put into a committee of the whole on the same.	Committed.
Mr. Detlor in the chair.	
The House resumed.	
The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.	Progress reported—sit again to-morrow.
The report was received, and leave granted accordingly.	
Pursuant to the order of the day, the bill to increase the bounty for the destruction of wolves, was read the second time.	Wolf bounty bill read second time.
The House was put into a committee of the whole on the bill.	Committed.
Mr. Manahan in the chair.	
The House resumed.	
The chairman reported that the committee had risen on a question of order.	Question of order.
The report was received, and Mr. Speaker decided that the bill was not in order.	Bill not in order.
Pursuant to notice, Mr. Thorburn, seconded by Mr. Morris, moves that an humble address be presented to his Excellency, the Governor General, requesting that he will be pleased to inform this House, (if consistent with the public service,) whether there are, or have been, bodies of men in this Province, leagued together under oaths, and commonly known by the name of "Hunters," or by any other name, who have for their object the subversion of our Constitution and connexion with the parent state, and that Messrs. Gowan and Parke be a committee to draft and report the same.	Address to His Exc'y on the subject of Hunters and Hunters' Lodges ordered.
Which was carried and ordered.	
Pursuant to the order of the day, the address to His Excellency, the Governor General, for information respecting the bill to remunerate the sufferers by the late rebellion, was read the second time and concurred in.	Address to His Exc'y on bill to remunerate sufferers by late rebellion concurred in.
<i>Ordered</i> —That the address be engrossed and read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the bill to add certain townships to the county of Huron was read the second time.	Bill to add certain townships to county of Huron read second time.
The House was put into a committee of the whole on the bill.	Committed.
Mr. Murney in the chair.	
The House resumed.	
The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.	Progress reported—sit again to-morrow.
The report was received, and leave was granted accordingly.	
Pursuant to the order of the day, the bill to dispose, by sale, of the government stock in the Bank of Upper Canada, was read the second time.	Bill to dispose of government bank stock read second time.
The House was put into a committee of the whole on the bill.	Committed.
Mr. Rykert in the chair.	
The House resumed.	
The Chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.	Bill reported.
The report was received.	
<i>Ordered</i> —That the bill be engrossed, and read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the bill for regulating the manner of granting licenses to Innkeepers, was read the second time.	Inn-keepers' license bill read second time.
The House was put into a committee of the whole on the bill.	

Mr. Jarvis in the chair.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading to-morrow.

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

Address to His Exc'y on subject of the Civil List moved.

Mr. Gowan, seconded by Mr. Parke, moves that an humble address be presented to His Excellency, the Governor General, praying that His Excellency may be graciously pleased to inform this House what public officers are intended to be included in the Civil List, to be recommended by Her Majesty's Government for the adoption of the British Parliament, together with the amount of salary to be given to each officer respectively, and the period of time to which such list is intended to extend; that Messrs. Morris and Thorburn be a committee to draft and report the same, and that the 31st rule of this House be dispensed with, so far as relates to this motion.

Division.

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

Y E A S.

Yeas—21.

Messrs. *Aikman, Bockus, Boulton, Caldwell, Chisholm of Glengarry, Dettlor, Elliott, Gamble, Gowan, Malloch, McDonell of Stormont, McKay, McLean, McMicking, Richardson, Ruttan, Rykert, Shade, Shaver, Thomson, Thorburn*—21.

N A Y S.

Nays—5.

Messrs. *Burwell, Hotham, Kearnes, Manahan, McDonell of Northumberland*—5.

Address ordered—majority 16.

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

Motion for information relative to the position of the Public Departments in the event of a Union.

Mr. Gowan, seconded by Mr. Morris, moves that an humble address be presented to His Excellency, the Right Honorable Charles Poulett Thomson, Governor General, praying that His Excellency may be graciously pleased to inform this House, whether it is intended by Her Majesty's Government, after the contemplated Legislative union of these Provinces shall have been affected, to continue the Crown Officers, the Receiver General's, the Inspector General's, the Provincial Secretary's, the Surveyor General's, and the other chief public departments in this Province, or to continue a Lieutenant Governor, or a separate Executive Government for the direction and management of the local affairs of this Province; that Messrs. Bockus and Parke be a committee to draft and report the same, and that the 41st rule of this House be dispensed with so far as relates to this motion.

On which debates ensued.

Adjourned.

THURSDAY, 19th December, 1839.

The House met.

The minutes of yesterday were read.

Com. of whole on message on Union.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, respecting the Union of Upper and Lower Canada.

Mr. Woodruff in the chair.

The House resumed.

The chairman reported that the committee had made some further progress, and asked leave to sit again this day. Progress reported—sit again to-day.

The report was received, and leave granted accordingly.

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

By Mr. McKay, the petition of Thomas Baines and R. H. Thornhill. Of T. Baines and R. H. Thornhill.

By Mr. Murney, the petition of John Turnbull, and seven others, Magistrates of the new district of Victoria. J. Turnbull and 7 others.

By Mr. Bockus, the petition of the President and Directors of the Bank of Montreal. President and Directors Montreal Bank.

By Mr. Sherwood, the petition of Michael Keating. M. Keating.

By Mr. Small, the petition of J. F. Maddock and George Hamilton, Clerks in the Receiver General's Department. J. F. Maddock and Geo. Hamilton.

And by Mr. Shade, the petition of H. Hyndman, and seventeen others, of the county of Huron; and the petition of Daniel Lizars, and seventeen others, of the county of Huron. H. Hyndman and 17 others, and D. Lizars and 17 others.

Pursuant to the order of the day, the bill to extend the limits of Darlington Harbor, was read the third time. Darlington Harbor extension bill read 3d time.

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

YEAS.

Messrs. Aikman, Bockus, Boulton, Burrill, Burwell, Cartwright, Chisholm of Glengarry, Chisholm of Halton, Ferrie, Gamble, Hunter, Kearnes, Manahan, Marks, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Murney, Powell, Richardson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Wickens, Woodruff—28. Yeas—28.

NAYS.

Messrs. Cook, McIntosh, Moore, Small—4. Nays—4.

The question was carried in the affirmative, by a majority of twenty-four, and the bill was passed. Bill passed—majority 24.

Mr. Boulton, seconded by Mr. Elliott, moves that the bill be entitled, "An Act to extend the limits of Port Darlington Harbour." Title.

Which was carried, and Messrs. Boulton and Elliott were ordered to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the address to His Excellency the Governor General, for information respecting the bill to indemnify sufferers by the rebellion, was read the third time and passed, and is as follows:— Address for information on bill to indemnify sufferers by the rebellion read 3d time and passed

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to inform this House if any, and what, reply has been made by Her Majesty's Government to the bill passed during the last Session of the Provincial Legislature, for remunerating the sufferers during the late attempt at insurrection in this Province, and reserved by His Excellency the Lieutenant Governor, for the signification of Her Majesty's pleasure thereon. Address.

ALLAN N. MACNAB, SPEAKER.

Commons House of Assembly, Nineteenth day of December, 1839. }

Messrs. Caldwell and McCrae were ordered by the Speaker to wait on His Excellency with the address, and to present the same.

Third reading of government bank stock sale bill being called.

On the order of the day for the third reading of the bill to provide for the sale of the Government Bank Stock being called,

Motion for third reading on 1st January.

In amendment—Mr. Solicitor General, seconded by Mr. Burwell, moves, that the bill be not now read a third time, but that it be read a third time on the 1st January next.

Division.

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

Yeas—31.

Y E A S .

Messrs. *Aikman, Bockus, Boulton, Burrill, Burwell, Duncombe, Ferrie, Gamble, Hunter, Malloch, Manahan, Marks, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Murrill, Moore, Murney, Parke, Richardson, Ruttan, Shade, Shaver, Solicitor General, Small, Woodruff*—31.

Nays—13.

N A Y S .

Messrs. *Caldwell, Cartwright, Chisholm of Glengarry, Cook, Deltor, Gowan, Kearnes, Lewis, Morris, Powell, Rykert, Sherwood, Wickens*—13.

Carried—majority 18.

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

Inn-keepers' license regulation bill read third time.

Pursuant to the order of the day, the bill to regulate the manner of granting licences to Innkeepers, was read the third time.

On the question for passing the bill,

Motion to re-commit bill on Monday.

In amendment—Mr. Richardson, seconded by Mr. Kearnes, moves, that the bill do not now pass, but that it be recommitted on Monday next, for the purpose of amending the same.

Carried.

Which was carried and ordered.

Petitions read :

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

Of J. McDonell and H. B. Mears.

Of John McDonell and Hamlet B. Mears, Commissioners for expending certain road monies in the district of Ottawa, for the year 1816, praying to be reimbursed the sum of £308 18 7, expended by them over and above the road allowance.

Of Rev. G. Archbold and 107 others.

Of the Reverend George Archbold and one hundred and seven others, of the Eastern District, praying that some provision may be made for ameliorating the condition of the deaf and dumb.

N. Sparks and 804 others

And of N. Sparks and eight hundred and four others, residing within the limits of the intended new district of Dalhousie, praying for the levying of an additional assessment of one penny in the pound on the inhabitants of said intended district, to provide means for building the gaol and court house therein.

Petitions referred :

Of Rev. G. Archbold and others, to sel. com.

On motion of Mr. McLean, seconded by Mr. Morris,
Ordered—That the petition of the Reverend George Archbold and others be referred to a select committee, consisting of Messrs. McDonell, of Glengarry, Jarvis, and Solicitor General, to report thereon.

Of J. Mitchell and others, to select com.

On motion of Mr. Burwell, seconded by Mr. Murney,
Ordered—That the petition of James Mitchell, Esquire, be referred to a Committee, consisting of Messrs. Salmon and Parke, to report thereon.

Of J. Campbell, discharged from sel. com. and referred to com. of supply to-morrow.

On motion of Mr. Rykert, seconded by Mr. Woodruff.
Ordered—That the select committee, to whom was referred the petition of John Campbell, be discharged, and that the said petition be referred to a committee of supply on to-morrow.

Of S. Hodgkinson, discharged from sel. com. and referred to com. of supply.

On motion of Mr. Rykert, seconded by Mr. Thorburn,
Ordered—That the select committee to whom was referred the petition of Samuel Hodgkinson, be discharged, and that the said petition be referred to the Committee of Supply.

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

Ordered—That the petition of Messrs. McDonell and Mears be referred to a committee, consisting of Messrs. Burwell and Shaver, to report thereon.

Of McDonell and Mears to select committee.

Mr. Murney, from the committee to draft an address to His Excellency the Governor General, respecting certain school land reservations, reported a draft, which was received and read the first time.

Address to His Exc'y on certain school reservations reported and read first time.

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

2d reading to-morrow.

Mr. Marks, from the select committee, to which was referred that part of the Journals of the last Session which relates to the petition of Dr. Dormer, presented a report, which was received and read.

Sel. com. on Journals relating to petition of Dr. Dormer present report.

Report—(See Appendix).

On motion of Mr. Manahan, seconded by Mr. Marks,

Ordered—That the report upon the claim of Dr. John Dormer be referred to a committee of supply to-morrow.

Report referred to com. of supply.

Mr. Ruttan, from the select committee, to which was referred the petition of Henry Smith, presented a report, which was received and read.

Sel. com. on petition of H. Smith present report

Report—(See Appendix).

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

Ordered—That the report of the select committee, upon the petition of Henry Smith, be referred to a committee of the whole House on supply to-morrow.

Report referred to com. of supply.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint Commissioners to investigate the Public Accounts.

Com. of whole on public accounts commissioners' bill.

Mr. Cartwright in the chair.

The House resumed.

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

Progress reported—sit again to-morrow

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Boulton, moves that Messrs. Ruttan, Rykert, Thomson and Murney, be a committee to enquire into and report upon the Banking system of this Province, and into the manner in which the Chartered Banks have been conducted, as regards their respective Acts of Incorporation, with power to send for persons and papers, and to report thereon.

Sel. com. appointed on banking.

Pursuant to the order of the day, the House was again put into a committee of the whole on the message of His Excellency the Governor General, respecting the Union of Upper and Lower Canada.

Com. of whole on message on Union.

Mr. Woodruff in the chair.

The House resumed.

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

Resolutions reported.

The report was received.

The first resolution was put as follows :

First resolution put.

Resolved—That the House of Assembly, at its last Session, declared that, in their opinion, a United Legislature for the Canadas, on certain terms, was indispensable, and that further delay must prove ruinous to their best interests, and that His Excellency the Governor General, by his message to this House, has announced, that with a view to remove the difficulties of these Provinces, to relieve the financial embarrassments of Upper Canada, to enable her to complete her public works, and develop her agricultural capabilities, to restore constitutional government to

1st Resolution.

Lower Canada, to establish a firm, impartial, and vigorous government for both, and to unite the people within them in one common feeling of attachment to British institutions and British connexion; the Legislative Union of Upper and Lower Canada has been recommended by Her Majesty to the Imperial Parliament; and His Excellency the Governor General has invited the assent of this House to certain specified terms, upon which the Union may be established. It, therefore, becomes the duty of the representatives of the people of this Province, carefully to consider the provisions by which this measure may be carried into effect, with the greatest security to their future peace, welfare, and good government, and the permanent connexion of these Colonies with the British Empire.

Amendment moved,
(Mr. Robinson.)

In amendment—Mr. Robinson, seconded by Mr. Murney, moves that all after the word “Resolved” be expunged, and the following inserted: “That while this House feels truly grateful to Her Majesty for causing the subject of the Re union of Upper and Lower Canada to be submitted to the Representatives of Her Majesty’s loyal subjects in this Province, for their consideration, before finally adopting a measure calculated so materially to change their social and political situation—it cannot, after mature deliberation, give its sanction to any proposition, having for its object the Re-union of these Provinces, which they humbly submit, will, if carried into effect, have no other result than to render the difficulties in Lower Canada in a short time more formidable, while it would endanger the security and advantages which Upper Canada has hitherto enjoyed.”

Division on amendment.

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

Y E A S .

Yeas—10.

Messrs. *Attorney General, Boulton, Caldwell, Cartwright, Elliott, Gamble, Jarvis, McCrae, Murney, Robinson,*
—10.

N A Y S .

Nays—45.

Messrs. *Aikman, Armstrong, Bockus, Burrill, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dellar, Duncombe, Dunlop, Ferris, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Morris, Parke, Powell, Richardson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Small, Thomson, Thorburn, Wickens, Woodruff.*—45.

Amendment lost—
majority 35.

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

Another amendment
moved, (Mr. Cart
wright.)

In amendment—Mr. Cartwright, seconded by Mr. Boulton, moves that after the word “Resolved” in the original, the whole be expunged and the following inserted: “That His Excellency the Governor General, in his message to this House, transmitted on the 7th instant, has declared “That it was with great satisfaction Her Majesty’s Government had learnt that upon the question of the Union itself, the House of Assembly had pronounced their decided judgement during the last Session,” this House feels it due to the wishes of their constituents—the best interests of the Province, and its connexion with the Parent State, to protest against any other construction being put upon the Resolutions of this House respecting the Union, other than a decided opposition to that measure, except upon the conditions which are set forth in these resolutions of the 27th March last, which this House, in its deliberate and mature consideration, feels it its duty to assert to be essential and indispensable.

Division on amendment.

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

Y E A S .

Yeas—21.

Messrs. *Armstrong, Bockus, Boulton, Burrill, Burwell, Cartwright, Dellar, Elliott, Gamble, Gowan, Jarvis, McCrae, McDonell of Northumberland, McLean, Murney, Richardson, Ruttan, Rykert, Shade, Sherwood, Thomson,*—21.

N A Y S .

Nays—34.

Messrs. *Aikman, Attorney General, Caldwell, Chisholm, of Halton, Chisholm, of Glengarry, Cook, Duncombe, Dunlop, Ferris, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Robinson, Shaver, Solicitor General, Small, Thorburn, Wickens, Woodruff.*—34.

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

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

Amendment lost—
majority 13.
Division on original
question.

Y E A S .

Messrs. *Aikman, Attorney General, Bockus, Burrill, Burwell, Cartwright, Chisholm, of Halton, Chisholm of Glengarry, Cook, Dellor, Duncombe, Dunlop, Ferrie, Gamble, Gowan, Holham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Northumberland, McDonell, of Stormont, McKay, McLean, McMicking, Merritt, Moore Morris, Murney, Parke, Powell, Richardson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Small, Thomson, Thorburn, Wickens, Woodruff.*—47.

Yeas—47.

N A Y S .

Messrs. *Boulton, Caldwell, Elliott, Jarvis, McIntosh, Robinson.*—6.

Nays—6.

The question was carried in the affirmative by a majority of forty-one, and the resolution was adopted

Carried—majority 41.

The second resolution was read as follows :

Resolved, That this House concur in the proposition that there be an equal representation of each Province in the United Legislature.

2d resolution.

In amendment, Mr. Sherwood, seconded by Mr. Rykert, moves that after the word “ Resolved,” the whole be expunged, and the following inserted : “ That this House cannot concur in the proposition, that there be an equal representation of each Province, but are of opinion that the number of Members to be returned to serve in the House of Assembly of the United Legislature be as follows :

Amendment moved,
(Mr. Sherwood.

From Lower Canada, fifty members.

From Upper Canada, as at present.

On which the yeas and nays were taken as follows :

Division on amendment.

Y E A S .

Messrs. *Armstrong, Boulton, Burrill, Burwell, Cartwright, Elliott, Hunter, Jarvis, McCrae, McDonell, of Northumberland, McLean, Murney, Richardson, Ruttan, Rykert, Shade, Sherwood, Thomson, Wickens.*—19.

Yeas—19.

N A Y S .

Messrs. *Aikman, Attorney General, Bockus, Caldwell, Chisholm, of Halton, Chisholm, of Glengarry, Cook, Dellor, Duncombe, Dunlop, Ferrie, Gamble, Gowan, Holham, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Robinson, Shaver, Solicitor General, Small, Thorburn, Woodruff.*—36.

Nays—36.

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

Amendment lost—
majority 17.
Another amendment
moved, (Mr. Gowan.)

In amendment, Mr. Gowan, seconded by Mr. Jarvis, moves, that after the word “ Resolved” in the original, the whole be expunged, and the following inserted : “ That upon a matter of such great importance as a Legislative Union of this Province with Lower Canada, this House is unwilling to assume the responsibility of assenting to a measure involving so many important considerations without a further manifestation of public will than has yet been declared, and the House considering that, before assenting to any measure that might involve the liberties of the people, and deprive them of their Constitutional Charter, it would be an act of proper courtesy and respect to the intelligence and loyalty of the people of Upper Canada, to appeal directly to them upon the question, that therefore, an humble address be presented to His Excellency the Governor General, praying that His Excellency may be graciously pleased to exercise the Royal Prerogative, by dissolving the present Parliament.

On which the yeas and nays were taken as follows :

Division on amendment.

Y E A S .

Messrs. *Armstrong, Dellor, Gamble, Gowan, Jarvis, McCrae, McDonell, of Stormont, McIntosh, Rykert, Thomson.*—10

Yeas—10.

N A Y S.

Nays—45.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Chisholm*, of Halton, *Chisholm*, of Glengarry, *Cook, Duncombe, Dunlop, Elliott, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell*, of Glengarry, *McDonell*, of Northumberland, *McKay, McLean, McMicking, Merritt, Moore, Morris, Murney, Parke, Powell, Richardson, Robinson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Small, Thorburn, Wickens, Woodruff*.—45.

Amendment lost—
majority 35.
Division on original
question.

The question of amendment was decided in the negative by a majority of thirty-five.
On the original question, the yeas and nays were taken, as follows :

Y E A S .

Yeas—33

Messrs. *Aikman, Attorney General, Bockus, Chisholm*, of Halton, *Chisholm*, of Glengarry, *Cook, Deltor, Duncombe, Dunlop, Ferrie, Hotham, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell*, of Glengarry, *McDonell*, of Stormont, *McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Shaver, Solicitor General, Small, Thorburn, Wickens, Woodruff*.—33.

N A Y S .

Nays—20.

Messrs. *Armstrong, Boulton, Burrill, Burwell, Caldwell, Cartwright, Elliott, Gamble, Hunter, Jarvis, McDonell*, of Northumberland, *McLean, Murney, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Thomson*.—20.

Carried—majority 13.

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

3d resolution.

The third resolution was put as follows :

Resolved—That this House concur in the proposition, that a sufficient Civil List be granted to Her Majesty, for securing the independence of the Judges, and to the Executive Government that freedom of action which is necessary for the public good. The grant for the person administering the Government, and for the Judges of the several Superior Courts to be permanent, and for the officers conducting the other departments of the public service, to be for the life of the Sovereign, and for a period of not less than ten years.

Division on resolution.

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—43.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burrill, Burwell, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Duncombe, Dunlop, Elliott, Ferrie, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, McMicking, Merritt, Moore, Morris, Murney, Parke, Powell, Ruttan, Rykert, Shade, Shaver, Solicitor General, Small, Thomson, Thorburn, Wickens, Woodruff*.—43.

N A Y S .

Nays—8.

Messrs. *Boulton, Caldwell, Cartwright, Deltor, Gamble, McIntosh, Robinson, Sherwood*.—8.

Carried—majority 35.

The question was carried in the affirmative by a majority of thirty-five, and the resolution was adopted.

4th resolution carried.

The fourth resolution was put and carried, as follows :

Resolved—That the public debt of this Province shall, after the Union, be charged on the joint revenue of the United Province.

Adjourned.

FRIDAY, 20th December, 1839.

The House met.

The minutes of yesterday were read.

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

Petitions brought up :

By Mr. Thomson, the petition of John Lynch, Clerk of the Court of Requests, Division No. 4, in the Home District. J. Lynch.

By Mr. Ruttan, the petition of William Coulson, J. P., and ninety-three others of the township of Percy, in the district of Newcastle. W. Coulson and 93 others.

By Mr. Donell of *Northumberland*, the petition of Thomas Carr, and ninety-one others, of the township of Otanabee, in the district of Newcastle : the petition of Sheldon Hawley, J. P., and ninety-eight others : and the petition of Thomas A. Stewart, J. P., and ninety-two others. Thomas Carr and 91 others.
S. Hawley and 98 others.
T. A. Stewart and 92 others.

By Mr. Powell, the petition of W. R. F. Berford, J. P., and sixty-six others. W. R. F. Berford and 66 others.

By Mr. Boulton, the petition of Ebenezer Perry, and 30 others, stockholders in the Cobourg Railway Company. E. Perry and 30 others.

By Mr. Sherwood, the petition of the Honorable J. Elmsley, and eight others, Shareholders of the Farmers' Joint Stock Banking Company. Hon. J. Elmsley and 8 others.

And by Mr. Solicitor General the petition of the Mayor, Alderman, and Commonalty, of the City of Toronto, in Common Council assembled. Mayor and Corporation of Toronto.

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

Petitions read :

Of the Trustees for Macadamizing the Queenston and Grimsby road, praying that funds may be provided for completing the work, and for paying the amounts due the contractors. Of Trustees Queenston and Grimsby road.

Of Joseph Aumond, and four hundred and fifty-eight others of the town of Bytown, praying that the ground rent of certain lots in said town, leased from the Crown, may be equalized. J. Aumond and 458 others.

Of Malcolm Laing of the town of Niagara, praying remuneration for the destruction of his house by an incendiary, from political animosity. M. Laing.

Of John Douglass, J.P., and one hundred others, of the town of London, praying that the Registry Office for the county of Middlesex, may be removed to the town of London. J. Douglass and 100 others.

Of James Jessup, and forty-seven others of the town of Brockville, praying for certain amendments in the law of Treason. J. Jessup and 47 others.

Of the Magistrates of the District of Niagara, in general Quarter Sessions assembled, praying for authority to raise a loan, to liquidate the debts of the district, or to levy an additional assessment for the same purpose. Magistrates of Niagara District (on loan.)

Of Charles Donaldson, and ninety-six others, of the district of Niagara, praying for authority to turnpike the road from Niagara to the ten mile creek. C. Donaldson and 96 others.

And of the Magistrates of the district of Niagara in General Quarter Sessions assembled, stating that the location of the district Town is inconvenient for granting licences to innkeepers and praying for authority to adjourn for that purpose to some more central place, at the sessions immediately preceding the month of January. Magistrates of Niagara District (on Inn-keepers Licences.)

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

Petitions referred :

Ordered—That the petition of the President, Directors and Company of the Commercial Bank, together with the statement of the several Chartered Banks of this Province, be referred to the committee on Banking. Of President and Directors of Commercial Bank, to committee on Banking.

Of Trustees Queenston and Grimsby road to com. on finance.

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

Ordered—That the Petition of the Trustees of the Queenston and Grimsby Macadamized Road be referred to the committee on finance.

Of Magistrates of Niagara (on licences) to com. of whole on licence regulation bill.

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

Ordered—That the Petition of the Magistrates of the District of Niagara in General Quarter Sessions assembled, on the subject of granting Licences to Innkeepers be referred to the committee of the whole House on the License regulation Bill.

Of C. Donaldson and others to sel. com.

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

Ordered—That the petition of Charles Donaldson and others be referred to a select committee to be composed of Messrs. Rykert and Thorburn, to report thereon, with power to send for persons and papers.

Of Magistrates of Niagara (on licence) to select committee.

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

Ordered—That the petition of the Magistrates of the District of Niagara in General Quarter Sessions, on the subject of the district finances, be referred to a select committee, to be composed of Messrs. Thorburn and Rykert, with power to send for persons and papers and report thereon.

Notices :

Of address to His Exc'y on Rideau and Lachine canals.

Mr. Detlor gives notice, that he will, on to-morrow, move That an humble address be presented to His Excellency the Governor General, requesting His Excellency to be pleased to lay before this House such information as he may possess in reference to the Resolutions and Address of this House of last session regarding the improvement of the navigation of the Rideau and Lachine Canals.

Of bill to amend Court of Requests and District Court Laws.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a Bill to alter and amend the laws relating to the Courts of Requests and District Courts of the Province.

Of motion for committee of whole on addressing Her Majesty on Union.

Mr. Merritt gives notice that he will, on to-morrow, move that this House resolve itself into a committee of the whole to take into consideration certain resolutions on the subject of the Union for the purpose of founding an address to Her Majesty and the Imperial Parliament thereon.

Sel. com. on petition of L. Lawrason and others report Thames Navigation Bill.

Mr. Burwell, from the select committee to which was referred the petition of L. Lawrason and others, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read first time.

The report was received and the bill was read the first time.

2d reading to-morrow.

Ordered—That the bill to incorporate the Thames Navigation Company, be read a second time to-morrow.

Sel. com. on petition of A. Werden and others present report and Hollowell Division Bill.

Mr. Bockus, from the select committee to which was referred the petition of A. Werden and others, presented a report and the draft of a bill, which were received.

The report was read as follows :—

To the Honorable the Commons House of Assembly:

Report.

The Select Committee, to whom was referred the petition of Asa Werden, Esquire, and one hundred and seven others, praying for a division of the township of Hollowell, in the district of Prince Edward, beg leave to report:—That they have examined the *Official Gazette*, and find published therein (since the month of August last) a notice of the petitioners' intention to petition the Legislature, at its present Session, for a division of the said township. No counter petition having been presented to your Honorable House, your Committee have drafted a bill, in compliance with the said petition, which they submit, herewith, for the consideration of your Honorable House.

All which is respectfully submitted.

CHARLES BOCKUS,

Chairman.

Committee Room, }
Nineteenth December, 1839. }

Bill read first time.

The bill was read the first time.

Ordered—That the bill to divide the township of Hallowell, be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill requiring plaintiffs to give security for costs. Com of whole again on plaintiffs' security bill.

Mr. McKay in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the Boundary Commissioners' Act. Com. of whole again on boundary commissioners' bill.

Mr. McDonell, of Glengarry, in the chair.

The House resumed.

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

The report was received.

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

Mr. Solicitor General, seconded by Mr. Malloch, moves That an humble address be presented to His Excellency the Right Honourable the Governor General, transmitting to His Excellency the Resolutions of this House on the subject of an Union of the Provinces of Upper and Lower Canada, and that Messrs. Merritt and McKay be a committee to draft and report the same. Motion for address to His Exc'y to transmit resolutions on Union.

In amendment, Mr. Cartwright, seconded by Mr. Bockus, moves that after the words "Lower Canada" in the original motion, the following be added "and that the said Committee be instructed to embody in such address the following Resolution : Amendment moved, (Mr. Cartwright.)

Resolved.—That this House having thus far concurred in the proposition of Her Majesty's Government, are bound, by a sense of justice and duty to their constituents and the Province at large, to declare further, what provisions they consider as essentially necessary to obtain from the Union those results which can alone justify its adoption, and in the expectation of which this House alone consents to the measure. That in order to secure to the deliberations of the United Legislature all possible freedom from the influence of origin and institutions derived from a foreign country, and of the associations arising from the deplorable events which have happened within the last two years in the Sister Province, the seat of Government should be fixed at some place in Upper Canada, and that English alone should be the language of the United Legislature, as this provision will, in the opinion of this House, be found an indispensable auxiliary to the amalgamation of the people, and to the gradual assimilation of the institutions of Upper and Lower Canada, and that this House desire to recommend to the consideration of Her Majesty's Government the propriety of introducing into any law for uniting these Provinces, a clause requiring a real property qualification for Members of the House of Assembly, and that saving such exceptions as the foregoing resolutions may render necessary, this House desires to see the principles of the Constitution of 1791 maintained and preserved inviolate, and they rejoice to perceive that among the principles recognised by Her Majesty's Ministers as forming the basis of the Union, is to be found 'the maintenance of the three estates of the Provincial Legislature,' by which this House clearly understand, that the constitutional prerogative of the Crown will be upheld, that the principles upon which the Legislative Council was created will not be departed from, and that the rights and liberties of the people and the privileges of their representatives will be guarded and sacredly preserved."

On which the yeas and nays were taken as follows :

Division on amendment.

Y E A S .

Messrs. Bockus, Boulton, Burrill, Burwell, Cartwright, Dettlor, Elliott, Hunter, Lewis, Malloch, McCrae, Year—21.
McDonell of Northumberland, McLean, Murney, Richardson, Ruttan, Ryker, Shade, Sherwood, Solicitor General, Thomson.—21.

N A Y S.

Nays—29.

Messrs. *Attorney General, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Dunlop, Ferrie, Gowan, Hotham, Kearnes, Manahan, Marks, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Morris, Parke, Powell, Robinson, Shaver, Small, Thorburn, Wickens, Woodruff.*—29.

Amendment lost—majority 8.

Another amendment moved. (Mr. Bockus.)

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

In amendment,—Mr. Bockus, seconded by Mr. Murney, moves that all after the word “moves” in the original be expunged, and the following inserted, “That it be resolved that this House did on the 27th day of March, 1839, adopt the following resolutions by large majorities.

‘*Resolved*—That in reference to the resolutions of this House on the subject of a Legislative Union of the Provinces of Upper and Lower Canada, this House is distinctly opposed to that measure, unless the conditions as embodied in the following Resolutions be fully carried out in any act to be passed by the Imperial Legislature for that purpose.

1st. ‘*Resolved*—That in the event of the Union of the Provinces of Upper and Lower Canada, the Seat of Government should be within the present boundary of Upper Canada.

2d. ‘*Resolved*—That that portion of Lower Canada lying East of the Madawaska, and South of the St. Lawrence, consisting of the counties of Gaspé, Bonaventure, and Rimouski, be attached to the Province of New Brunswick.

3rd. ‘*Resolved*—That a proper qualification for Members of the Legislative Council and House of Assembly, be fixed upon by the act of Union.

4th. ‘*Resolved*—That the act of Union not to make void any of the appointments of the present Legislative Council, in full confidence that future appointments will be made in such manner, from the different Districts, as best to secure the commercial, agricultural, and general interests of the Province.

5th. ‘*Resolved*—That the number of members to be returned to serve in the House of Assembly be as follows :

From Lower Canada, 50 members.

From Upper Canada, as at present.

That the Elective Franchise in Counties be confined to those who hold their lands in free and common socage from and after a time to be settled by the Imperial Parliament, not later than the year 1845, and that it be strongly urged on the Imperial Parliament to pass immediate measures for facilitating the change of tenure in Lower Canada, so as to extend to them the exercise of the Elective Franchise with as little delay as possible.

6th. ‘*Resolved*—That a new division of Lower Canada into counties be made by the Governor and Council of that Province so as to provide for the election of such number of members as, together with the members from cities and towns, make up the number to be returned from Lower Canada.

7th. ‘*Resolved*—That the English language be spoken and used in the Legislature, Courts of Justice, and in all other public proceedings.

8th. ‘*Resolved*—That Courts of Appeal and Impeachment be established within the United Province.

9th. ‘*Resolved*—That the the Surplus Revenue of the Post Office, together with the Casual and Territorial, and every other branch of Revenue, be placed under the control of the Legislature.

10th. ‘*Resolved*—That, until otherwise provided for by the Joint Legislature, the Courts and Laws to remain as at present.

11th. ‘*Resolved*—That the debt of both Provinces shall be chargeable on the Revenue of the United Province.

12th. ‘*Resolved*—That the Local Legislature have power to originate duties, or reduce them from time to time, as they may deem necessary and advisable, subject however to restrictions similar to those of 42d Section of 31st Geo. III, chap. 31, respecting certain Local Acts.

13th. *Resolved*,—That with the above exceptions, the principles of our Constitution as contained in 31 Geo. III., chap. 31, remain inviolate.

14th. *Resolved*,—That there be two Commissioners appointed to proceed to England, on the part of this House, and that Sir Allan N. McNab, Speaker of this House, and William Hamilton Merritt, Esquire, M. P. for the County of Haldimand, be the said Commissioners.

That His Excellency the Governor General by his Message of the 7th of December instant, informed this House as follows :

“After the most attentive and anxious consideration of the state of these Provinces and of the difficulties under which they respectively labour, Her Majesty’s advisers came to the conclusion, that by their Re-union alone could those difficulties be removed; during the last Session of the Imperial Legislature they indeed refrained from pressing immediate legislation; but their hesitation proceeded from no doubt as to the principle of the measure or its necessity. It arose solely from their desire to ascertain more fully the opinions of the Legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces.” And this House having, after much discussion abandoned the above recited conditions, and, as the resolutions adopted by this House do not contain, “information from which the details might be rendered more satisfactory to the people of both Provinces.”

Be it therefore further Resolved, That the people of this Province have a just right to an opportunity of expressing their opinions on this momentous question by Petition to this House, and as the annual township meetings, will be held in the several townships of this Province, on the first Monday, in the month of January next, it is expedient to postpone the further consideration of the question of the Re-union of these Provinces until Monday the 13th day of January next.

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

Division on amendment.

YEAS.

Messrs. Bockus, Boulton, Burwell, Cartwright, Dettor, Elliott, Gowan, McCrae, McLean, Murney, Rykert, Thomson.—12. Yeas—12.

NAYS.

Messrs. Attorney General, Burrill, Chisholm, of Halton, Chisholm, of Glengarry, Cook, Duncombe, Dunlop, Ferrie, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Richardson, Robinson, Rutlan, Shade, Shaver, Sherwood, Small, Solicitor General, Thorburn, Wickens, Woodruff.—37. Nays—37.

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

Amendment lost—majority 25.

In amendment—Mr. Cartwright, seconded by Mr. Dettor, moves that after the word “Canada,” in the original motion the following be added, and that the said Committee be instructed to embody in the said address the following words :

Another amendment moved, (Mr. Cartwright.)

“That saving such alterations as the said resolutions may render necessary, the principles of the Constitution as contained in the Act 31, Geo. III., chap. 31, may be preserved inviolate.”

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

Division on amendment.

YEAS.

Messrs. Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Dettor, Elliott, Gamble, Gowan, Hunter, Jarvis, Malloch, McCrae, McDonell, of Northumberland, McLean, Murney, Richardson, Robinson, Rykert, Shade, Sherwood, Solicitor General, Thomson.—25. Yeas—25.

NAYS.

Messrs. Chisholm, of Halton, Chisholm of Glengarry, Cook, Duncombe, Dunlop, Ferrie, Holham, Kearnes, Lewis, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Rutlan, Shaver, Small, Thorburn, Wickens, Woodruff.—28. Nays—28.

Amendment lost—
majority 3.
Division on original
question.

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

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

Y E A S .

Yeas—33.

Messrs. *Attorney General, Chisholm, of Halton, Chisholm, of Glengarry, Cook, Duncombe, Dunlop, Ferric, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, McCargar, McDonell, of Glengarry, McDonell, of Northumberland, McDonell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Ruttan, Shaver, Small, Solicitor General, Thorburn, Wickens, Woodruff.*—33.

N A Y S .

Nays—20.

Messrs. *Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Dettlor, Elliott, Gamble, Gowan, Jarvis, McCrae McLean, Murney, Richardson, Robinson, Rykert, Shade, Sherwood, Thomson.*—20.

Carried—majority 13.

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

Bill sent down from
Legislative Council for
concurrence.

The Master in Chancery brought down from the Honorable the Legislative Council a bill, which that Honorable House had passed, and requested the concurrence of this House thereto, and withdrew.

Adjourned.

SATURDAY, 21st December, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

Of Robert E. Grass and
66 others.

By Mr. Manahan, the petition of Robert E. Grass and sixty-six others, of Frankford and its vicinity, in the district of Victoria.

Of Board of Trade.

And by Mr. Attorney General, the petition of the Board of Trade.

Bill to amend the
Boundary Commission-
ers' Act passed.
Title.

Pursuant to the order of the day, the bill to amend the Boundary Commissioners' Act was read the third time, and passed.

Mr. Rykert, seconded by Mr. Gowan, moves that the bill be entitled "An Act to alter and amend the Act passed during the third Session of the present Parliament, entitled, 'An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province.'"

Bill sent to Leg. Council

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

Petitions read :

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

Of T. Baines and R. H.
Thornhill.

Of Thomas Baines and R. H. Thornhill, praying that they may not be prosecuted as securities of Mr. Beeston, collector of customs at Hallowell, who is declared a defaulter.

Of John Turnbull and
others.

Of John Turnbull and seven others, of the district of Victoria, praying that the additional rate levied on the inhabitants of said district may be continued until a sufficient sum is raised to pay the debt incurred for building the Gaol and Court House.

Of President, &c. Bank
of Montreal.

Of the President and Directors of the Bank of Montreal, praying for authority to establish agencies in Upper Canada.

Of M. Keating.

Of Michael Keating, praying to be allowed the exclusive use of a newly invented still, of which, though not the inventor, he is the only importer and proprietor in the Province.

Of J. F. Maddock and George Hamilton, clerks in the Receiver General's department, praying remuneration for certain extra services. Of J. F. Maddock and G. Hamilton.

Of H. Hyndman and seventeen others, of the county of Huron, praying that an additional tax may be levied on the inhabitants thereof, to defray the expense of building the gaol and court house therein. Of H. Hyndman and others.

And of Daniel Lizars and seventeen others, of the county of Huron, praying that certain townships may be added to said county. D. Lizars and others.

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

Ordered—That the petition of the President and Directors of the Montreal Bank, praying to be allowed to open agencies of that Bank within the Province, be referred to a select committee, to be composed of Messrs. Rykert, Merritt, Ferrie, and Malloch, with power to report by bill or otherwise. *Petitions referred :*
Of President, &c. of Montreal Bank to select committee.

On motion of Mr. Shade, seconded by Captain Dunlop,

Ordered—That the petition of H. Hyndman and others be referred to a committee of the whole on supply. Of H. Hyndman and others to supply.

On motion of Mr. Murney, seconded by Mr. Manahan,

Ordered—That the petition of John Turnbull and others be referred to a committee of the whole on supply, on to-morrow. Of Jno. Turnbull and others to supply.

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

Ordered—That the petition of Thomas Baines and R. H. Thornhill be referred to a select committee, composed of Messrs. Attorney General and Bockus, with power to send for persons and papers, and to report thereon. Of T. Baines and R. H. Thornhill to sel. com.

Mr. Gowan gives notice that he will, on Monday next, move an address to Her Majesty on the subject of the legislative union of these Provinces. Notice of Address to Her Majesty on the Union.

Mr. McKay, from the Committee to draft an address to His Excellency, the Governor General, to accompany the resolutions of this House on the subject of the Union of Upper and Lower Canada, reported a draft, which was received and read the first time. Address to His Exc'y on subject of Union reported.

On the question of the second reading of the address on Monday next,

In amendment.—Mr. Solicitor General, seconded by Mr. Shaver, moves that the address be not read a second time on Monday next, but that it be read a second time forthwith.

Which was carried, and the address was read the second time. Address read 2d time.

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

Mr. McLean in the chair.

The House resumed.

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

The report was received.

On the question of the third reading of the address on Monday next,

In amendment.—Mr. Solicitor General, seconded by Mr. Shaver, moves that the address be not read a third time on Monday next, but that it be read the third time forthwith. On reading third time Monday next, Amendment.

On which the yeas and nays were taken as follows :

Division on amendmen

Y E A S .

Messrs. Attorney General, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Dunlop, Ferrie, Gowan, Kearnes, Lewis, Malloch, Manahan, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Merritt, Moore, Morris, Parke, Pnwell, Ruttan, Shaver, Small, Solicitor General, Thorburn, Woodruff—29. Yeas—29.

N A Y S.

Nays—17. Messrs. *Armstrong, Bockus, Boulton, Burwell, Caldwell, Cartwright, Dettor, Elliott, Gamble, McCrae, McLean, Murney, Richardson, Robinson, Rykert, Shade, Thomson*,—17.

Amendment carried—majority 12.
Address read 3d time.

The question was carried in the affirmative by a majority of twelve, and the address was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg to transmit to Your Excellency certain Resolutions which we have adopted in reference to the Message of Your Excellency on the subject of the Union of these Provinces.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-first day of December, 1839. }

Messrs. Solicitor General and McKay were ordered by the Speaker to wait upon His Excellency the Governor General with the address and present the same.

Committee on return of population of Belleville present report.

Mr. Murney, from the select committee, to which was referred the message of His Excellency the Governor General, with a return of the population of the town of Belleville, presented a report which was received and read as follows:—

To the Honorable the Commons House of Assembly:

Report.

The Committee to whom was referred the Return of the Population of the Town of Belleville, beg leave to report:

That in their opinion, there is no authority in the statute book, authorising the Speaker to issue his warrant to elect a Member for a place acquiring the right to representation during the continuance of the Provincial Parliament—such right must, in the opinion of your committee, be exercised for the first time at a general election.

CHRISTOPHER A. HAGERMAN,
Chairman.

Committee Room, House of Assembly,
Twenty-first day of December, 1839. }

Committee report Address to His Ex'cy on the subject of Hunters' Lodges.

Mr. Gowan, from the committee to draft an address to His Excellency the Governor General on the subject of "Hunters Lodges," reported a draft, which was received and read the first time.

2d reading Monday next

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

Com. report His Ex'cy's answer to address of bill of last session remunerating sufferers by late rebellion.

Mr. Caldwell, from the committee to wait on His Excellency the Governor General, with the address for information respecting the bill to remunerate sufferers by the rebellion, reserved last session, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Answer.

GENTLEMEN:

I will communicate to the Assembly my answer to this address by message.

Mr. Boulton, seconded by Mr. Rykert, moves that when this House adjourns this day, it do stand adjourned until Monday week, the 30th instant. Motion of adjournment—Division.

On which the yeas and nays were taken as follows :

Y E A S .

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Duncombe, Elliott, Gamble, Gowan, Kearnes, McCrae, McDonell of Northumberland, McIntosh, McMicking, Merritt, Parke, Powell, Richardson, Robinson, Rykert, Shade, Solicitor General, Thorburn*,—23. Yeas—23.

N A Y S .

Messrs. *Armstrong, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dettlor, Dunlop, Ferrie, Jarvis, Lewis, Malloch, Manahan, McCargar, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, Moore, Morris, Murney, Shaver, Sherwood, Small, Thomson, Woodruff*—25. Nays—25.

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

Question lost—majority 2.

Pursuant to notice, Mr. Merritt, seconded by Mr. Ferrie, moves that that part the of the Journals of last Session, relating to a petition of Warner Nelles, Esquire, and others of the village of York, Grand River, praying for an incorporation to build a bridge, be now read. Journals of last session read, on petition of Warner Nelles.

Which was carried, and the Journals were read accordingly.

(Printed Journals, page 284.)

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

Ordered—That that part of the Journals, now read, referring to the petition of Warner Nelles, and others, be referred to a committee, consisting of Messrs. Chisholm of Halton and Ferrie, to report thereon. Subject referred.

Mr. Cartwright, seconded by Mr. Dettlor, moves that when this House adjourns on Tuesday next, it stand adjourned until Monday, the 30th day of December. Motion for adjournment—

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

Division.

Y E A S .

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burwell, Cartwright, Dettlor, Duncombe, Elliott, Gamble, Gowan, Hotham, Kearnes, Manahan, McCrae, McIntosh, Merritt, Moore, Morris, Murney, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General*,—28. Yeas—28.

N A Y S .

Messrs. *Caldwell, Chisholm of Halton, Chisholm of Glengarry, Dunlop, Ferrie, Lewis, McCargar, McDonell of Glengarry, McDonell of Stormont, McKay, McMicking, Parke, Shaver, Small, Thomson, Thorburn, Woodruff*—17. Nays—17.

The question was carried in the affirmative by a majority of eleven, and ordered accordingly. Question carried—majority 11.

Pursuant to notice, Mr. Bockus, seconded by Mr. Murney, moves that it be *Resolved*, That this House feel it a duty incumbent on them, to express the high sense they entertain of the ability, uprightness, and impartiality, with which His Excellency the Lieutenant Governor has discharged the arduous and important duties of his office, since he assumed the administration of the public affairs of this Province,—and that the Speaker do communicate a copy of this Resolution to His Excellency. Resolution on the sense of the House, relating to the administration of Sir G. Arthur.

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

Division.

Y E A S .

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Chisholm of Halton, Cook, Dunlop, Elliott, Gamble, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, McCrae, McCargar, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, Morris, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson*,—57. Yeas—57.

N A Y S .

- Nays—8.** Messrs. *Chisholm* of Glengarry, *Gowan*, *McDonell* of Stormont, *McIntosh*, *McMicking*, *Small*, *Thorburn*, *Woodruff*—8.
- Resolution carried—majority 29.** The question was carried in the affirmative, by a majority of twenty-nine, and ordered accordingly.
- Fish inspection bill read second time.** Pursuant to the order of the day, the bill to regulate the inspection of fish was read the second time.
- Committed.** The House was put into a committee of the whole on the same.
Mr. Elliott in the chair.
The House resumed.
- Bill reported.** The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow.** *Ordered*—That the bill be engrossed, and read a third time on Monday next.
On motion of Mr. Boulton, seconded by Mr. Morris,
- 300 copies of message and documents relating to the Crown Lands ordered to be printed.** *Ordered*—That three hundred copies of the message of His Excellency, the Governor General, of the 17th inst., with the accompanying accounts of the Commissioner of Crown Lands and Surveyor General of Woods and Forests, be printed for the use of members.
- Motion to print 2000 copies of the resolutions, &c. on the subject of the Union.** Mr. Bockus, seconded by Mr. McLean, moves, that two thousand copies of the several resolutions on the subject of the re-union of the Provinces of Upper and Lower Canada, with the amendments moved thereto, and the address thereon, with the yeas and nays, be printed for the use of members.
- Amendment.** *In amendment*—Mr. Parke, seconded by Mr. Small, moves, that all after the word “*resolved*” be expunged, and the following inserted, “that it is not expedient to print these documents till the Governor General’s answer thereto is received by this House, that it may be printed at the same time.”
- Division on amendment.** On which the yeas and nays were taken as follows :

Y E A S .

- Yeas—22.** Messrs. *Chisholm* of Glengarry, *Cook*, *Duncombe*, *Dunlop*, *Hotham*, *Kearnes*, *Lewis*, *Malloch*, *Manahan*, *McCargar*, *McDonell* of Glengarry, *McDonell*, of Stormont, *McKay*, *McMicking*, *Merritt*, *Moore*, *Morris*, *Parke*, *Shaver*, *Small*, *Thorburn*, *Woodruff*—22.

N A Y S .

- Nays—15.** Messrs. *Bockus*, *Boulton*, *Burwell*, *Cartwright*, *Dellor*, *Elliott*, *Gamble*, *Gowan*, *McDonell* of Northumberland, *McLean*, *Richardson*, *Robinson*, *Ruttan*, *Shade*, *Sherwood*—15.
- Amendment carried—majority 7.** The question of amendment was carried in the affirmative, by a majority seven.
The original question as amended was then put and carried.
Adjourned.

MONDAY, 23d December, 1839.

The House met.

The minutes of Saturday were read.

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

Petitions brought up:

By Mr. Kearnes, the petition of Charles A. Low, and four hundred others, of the district of Ottawa; and the petition of Angus McGillivray, and two hundred and twenty others, of the Eastern and Ottawa Districts.

Of Chas. A. Low and 400 others.
Of A. McGillivray and 220 others.

And by Mr. Burwell, the petition of Joseph B. Clench, Chairman of the Quarter Sessions of the district of London; and the petition of George P. Ryerse and John Harris, and ninety others, of the district of London.

Of J. B. Clench.
Of G. P. Ryerse and J. Harris and 90 others.

Pursuant to the order of the day, the fish inspection bill was read the third time and passed.

Fish inspection bill passed.

Mr. Morris, seconded by Mr. Hunter, moves that the bill be entitled, "An Act to regulate the Inspection of Fish, and to prevent non-residents from fishing within the waters of this Province."

Title.

Which was carried and Messrs. Morris and Hunter were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

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

Petitions read:

Of John Lynch, Clerk of the Court of Requests, Division No. 4, in the Home District, praying for an increase in the emoluments of clerks of the said court.

Of Jno. Lynch.

Of William Coulson, J. P., and ninety-three others, of the township of Percy, in the district of Newcastle, praying for certain alterations in the law of treason.

Of W. Coulson, J. P. and 93 others.

Of Thomas Carr and ninety-one others, of the township of Otonabee, in the district of Newcastle, praying for aid to rebuild a bridge at the village of Keene, in said township.

Thos. Carr and others.

Of Sheldon Hawley, J. P., and ninety-eight others, praying for certain alterations in the law of treason.

Of S. Hawley, J. P. and others.

Of Thomas A. Stewart, J. P., and ninety two others, praying the same.

Of T. A. Stewart, J. P. and others.

Of W. R. F. Burford, J. P., and sixty-six others, praying the same.

Of W. R. F. Berford and others.

Of Ebenezer Perry and thirty others, stockholders in the Cobourg Railway company, praying for the passing of an act to continue and amend the charter of the company.

Of Ebenezer Perry and others.

Of the Honourable J. Elmsley and eight others, shareholders of the Farmer's Joint Stock Banking Company, praying for a charter for that institution.

Of Hon. J. Elmsley and others.

And of the mayor, aldermen, and comonalty of the city of Toronto, praying that the act passed at the first session of the present Parliameut, to amend the act of incorporation, may be made perpetual.

Mayor, &c. city of Toronto.

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

Ordered—That the petition of Michael Keating be referred to a select committee consisting of Messrs. Lewis, Powell, and Thorburn.

Petitions referred:
Of M. Keating to select committee.

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

Ordered—That the petition of John Lynch be referred to a select committee with power to report by bill or otherwise, and that Messrs. Gamble and Morris do compose the same.

Of J. Lynch to sel. com.

On Motion of Mr. Sherwood, seconded by Mr. Cartwright.

Ordered—That the petition of the Honourable John Elmsley and others be referred to the select committee on Banking.

Of Hon. J. Elmsley and others to committee on banking.

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

Of J. Jessup and others
to select committee.

Ordered—That the petition of James Jessup and others be referred to the committee to whom was referred the petition of John Covert and others.

Notices:
Of bill concerning
bankrupts.

Mr. Solicitor General gives notice that he will on to-morrow move for leave to bring in a bill concerning Bankrupts and, the administration and distribution of their estates and effects.

Of school teaching bill.

Mr. Thomson gives notice that he will on to-morrow move for leave to bring in a bill to provide for a more efficient system of Common School Teaching within this Province.

Com. report answer of
His Excy to address
transmitting the resolu-
tions on the Union.

Mr. Solicitor General from the Committee to wait on His Excellency the Governor General with the address communicating the resolutions of this House on the subject of the Union of Upper and Lower Canada, reported delivering the same, and that his Excellency had been pleased to make thereto the following answer:—

GENTLEMEN:

Answer

It affords me the most sincere satisfaction to find that, after a careful deliberation on the propositions suggested by me for the re-union of this Province with Lower Canada, those propositions have received your assent. I shall take the earliest opportunity of transmitting your resolutions to Her Majesty's Government, with a view of their being laid before the Imperial Legislature.

The generous confidence which you have reposed in Her Majesty's Government and Parliament, respecting the Civil List, and the details of the measure of re-union, will be duly appreciated, and it will be the anxious endeavor of Her Majesty's advisers, in all their proceedings upon this important subject, to justify that confidence, and promote the permanent well-being of the people of Upper Canada.

For myself, personally, I beg you to accept my thanks for the diligence and attention which you have devoted to the communications which it has been my duty to make to you.

If, as I feel confident, the Union should be productive of the advantages to this Province which I anticipate from it, it will hereafter be my greatest pride to have co-operated with you in that measure.

Motion to print 5000
copies of the resolutions,
amendments, &c. on
subject of the Union.

Mr. Gamble, seconded by Mr. Cartwright, moves, that five thousand copies of the messages of His Excellency, the Governor General, and the several resolutions on the subject of the Union of the Provinces of Upper and Lower Canada, with the amendments moved thereto, and the address thereon, with the yeas and nays, together with the answer of His Excellency the Governor General to the same, be printed for the use of members.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—32.

Messrs. *Armstrong, Burrill, Buricell, Cartwright, Chisholm of Glengarry, Cook, Detlor, Dunlop, Elliott, Gamble, Gowen, Jarvis, Kearnes, Lewis, Malloch, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, McMicking, Morris, Parke, Pctwell, Richardson, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff.*—32.

NAYS.

Nays—2.

Messrs. *Hunter, Manahan.*—2.

Question carried—
majority 30.

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

On Motion of Mr. Cartwright, seconded by Mr. Detlor.

Call of the House on
Monday, the 30 inst.

Ordered—That there be a call of the house on Monday the 30th instant at twelve o'clock noon.

Maddock's relief bill
sent down from Legis-
lative Council.

Mr. Speaker reported that the Master in Chancery had brought down, on Friday last, from the Hon. the Legislative Council, a bill entitled, "An Act to authorize the Court of Queen's bench to admit John Ford Maddock to practice as an Attorney in that Court," which that Honourable House had passed, and requested the concurrence of this House thereto.

The bill sent down by the honourable the Legislative Council entitled "An Act to authorize the Court of Queen's Bench to admit John Ford Maddock to practise as an attorney in that Court," was read the first time. Bill read.

Ordered—That the bill be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the address to Her Majesty on the importation of tea from the United States, was read the second time. Address on importation of tea read second time.

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

Mr. Richardson in the chair.

The House resumed.

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

The report was received.

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

Mr. Secretary Murdoch brought down from His Excellency, the Governor General, a message, and retired. Message from Governor General.

The Message was read by the Speaker, as follows:—

CHARLES POULETT THOMSON:

In answer to the address from the House of Assembly of the 13th instant, respecting the bill passed during the last Session of the Legislature, but reserved for the signification of Her Majesty's pleasure, entitled, "An Act to dispose of the lands commonly called Clergy Reserves, and for other purposes therein mentioned," the Governor General has to inform the House, that, by an accidental delay in the transmission of the address from the Legislative Council and House of Assembly, required by the 42d clause of the Act, 31, Geo. III., Ch. 31, it became impossible, during the last Session of the Imperial Legislature, to comply with that provision of the statute, which requires that a bill of this description should be laid before Parliament for thirty days before decision of the crown upon it is pronounced. Message on Clergy Reserve bill of last Session.

But had this difficulty not arisen, there were other considerations, which would, in the opinion of the Secretary of State, have prevented the acceptance of the measure by Her Majesty.

Parliament delegated to the local Legislature the right of appropriating the Clergy Reserves, and the effect of the Bill was to transfer that duty from the local Legislature to Parliament, with a particular restriction. Her Majesty's Government were advised by the law officers of the Crown, that such a proceeding is unconstitutional; and it appeared to them to be evidently liable to inconvenience. Her Majesty could not assume that Parliament would accept this delegated office; and if it should not be so accepted, the confirmation of the bill would have been productive of serious prejudice, and of no substantial advantage.

It would have postponed indefinitely the settlement of a question which it much concerns the welfare of this Province to bring to a close.

The objection of form thereof was insuperable; nor could it be assumed by Her Majesty's Government that there exist in England greater facilities than in Upper Canada for the adjustment of this controversy. On the contrary, in their opinion, the Provincial Legislature bring to the decision of it an extent of accurate information as to the wants and general opinions of society in this country, in which the Imperial Parliament is unavoidably deficient.

Under these circumstances, Her Majesty's ministers felt themselves compelled to advise Her Majesty not to give her assent to this bill. They adopted that course with regret, but they trust that the failure of the attempt thus made to effect the settlement of so important a matter will be but temporary, and that the opportunity will, at no distant period, be found for arriving at a satisfactory adjustment of it.

The Governor General will probably feel it to be his duty shortly to call the attention of the House of Assembly specifically to this subject.

Toronto, }
23d December, 1839. }

Pursuant to the order of the day, the bill to levy an additional assessment on the district of Dalhousie, was read the second time. Bill to levy additional assessment in district of Dalhousie read 2d time

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

Captain Dunlop in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading to-morrow.

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

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

1000 copies of message on Clergy Reserves to be printed.

Ordered—That one thousand copies of the message of His Excellency, the Governor General, on the subject of the Clergy Reserves, be printed for the use of members.

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

Address of thanks for message of this day ordered.

Ordered—That an humble address be presented to His Excellency, the Governor General, thanking him for his message of this day on the subject of the Clergy Reserves; and that Messrs. Parke and Sherwood be a committee to draft and report the same.

Address to His Exc'y for account of road moneys read 2d time. Committed.

Pursuant to the order of the day, the address to His Excellency the Governor General, for an account of road moneys, was read the second time.

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

Mr. Manahan in the chair.

The House resumed.

Address reported.

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

The report was received.

Third reading of address to-morrow.

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

Address to His Exc'y on payment of Hamilton and Brantford road contractors read 2d time Committed.

Pursuant to the order of the day, the address to His Excellency, the Governor General, relative to the payment of the contractors on the Hamilton and Brantford road, was read the second time.

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

Mr. Gamble in the chair.

The House resumed.

Progress reported—sit again to-morrow.

The chairman reported that the committee had made some progress in the address and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

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

Address referred to select committee.

Ordered—That the address be referred to a select committee consisting of Messrs. Chisholm of *Hallon*, Ferrie and Aikman, with power to send for persons and papers and to report thereon.

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

Sci. com. on taxing wild lands discharged, and subject referred to committee of whole.

Ordered—That the order of this house referring the subject of taxing wild lands for the improvement of roads and bridges to a select committee consisting of Messrs. Gowan, Marks, Lewis, Merritt, and Parke, be discharged, and that the same subject be referred to a committee of the whole house on to-morrow.

Com. of whole again on Election bill.

Pursuant to the order of the the day, the house was again put into a committee of the whole on the bill to amend the Election laws.

Mr. Duncombe in the chair.

The House resumed.

Bill reported without amendment.

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

The Report was received.

3d reading to-morrow.

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

- Pursuant to the order of the day, the bill to alter the time of holding the Court of General Quarter Sessions in the Home District was read the second time. Home District Quarter Sessions bill read second time and committed.
- The House was put into a committee of the whole on the bill.
- Mr. Kearnes in the chair.
- The House resumed.
- The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day, the bill to restrain the practice of duelling was read the second time. Duelling prevention bill read second time and committed.
- The House was put into a committee of the whole on the bill.
- Mr. Gowan in the chair.
- The House resumed.
- The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.
- The report was received, and leave was granted accordingly.
- Pursuant to the order of the day, the bill to prevent the introduction of spirituous liquors into Gaols was read the second time. Bill to prevent consumption of spirituous liquors in gaols read second time and committed.
- The House was put into a committee of the whole on the bill.
- Mr. Malloch in the chair.
- The House resumed.
- The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.
- The report was received, and leave granted accordingly.
- Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the Registry Laws. Com. of whole again on Registry bill.
- Mr. Detlor in the chair.
- The House resumed.
- The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.
- The report was received, and leave granted accordingly.
- Pursuant to the order of the day, the house was again put into a committee of the whole on the bill to add certain townships to the county of Huron. Com. of whole again on bill to enlarge county of Huron.
- Mr. Parke in the chair.
- The House resumed.
- The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the house. Bill reported without amendment.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day, the House was put into a committee of supply on the petition of John Campbell. Com. of supply on pet. of J. Campbell.
- Mr. Thorburn in the chair.
- The House resumed.
- The chairman reported that the committee had made some progress and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.
- The report was received, and leave granted accordingly.

- Address to His Exc'y on certain school land reservations read second time and committed.
- Pursuant to the order of the day, the address to His Excellency the Governor General respecting certain school land reservations in the Midland District was read the second time.
- The House put into committee of the whole on the same.
- Mr. Chisholm of *Hulton* in the chair.
- The House resumed.
- Progress reported—sit again to-morrow.
- The Chairman reported that the committee had made some progress in the address, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- On motion of Mr. Manahan, seconded by Mr. Chisholm of *Hulton*,
- Ordered*—That the address be referred to a select committee to consist of Messrs Detlor, Chisholm of *Glengarry*, and Shaver.
- Address referred to select committee.
- Com. of supply on report on pet. of Dr. Dormer.
- Pursuant to the order of the day, the House was put into a Committee of supply, on the report of the select committee on that part of the Journals of last session which relates to the petition of Dr. Dormer.
- Mr. Sherwood in the chair.
- The House resumed.
- Progress reported—sit again to-morrow.
- The chairman reported that the committee had made some progress in the consideration of the report, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- Com. of supply on report on petition of H. Smith.
- Pursuant to the order of the day, the House was put into a committee of supply on the report of select committee on the petition of Henry Smith.
- Mr. Moore in the chair.
- The House resumed.
- Progress reported—sit again to-morrow.
- The chairman reported that the committee had made some progress in the consideration of the report, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- Com. of whole again on public accounts commissioners' bill.
- Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint commissioners to investigate the Public Accounts.
- Mr. Cartwright in the chair.
- The House resumed.
- Progress reported—sit again to-morrow.
- The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- Bill to regulate Queen's Bench Reporter brought in.
- Pursuant to notice, Mr. Solicitor General, seconded by Mr. Richardson, moves for leave to bring in a bill to regulate the office of Reporter to Her Majesty's Court of Queen's Bench in this Province.
- Which was granted and the bill was read the first time.
- Ordered*—That the bill be read a second time to-morrow.
- 2d reading to-morrow.
- Committee of supply on petition of J. Turnbull.
- Pursuant to the order of the day, the House was put into a committee of supply on the petition of J. Turnbull.
- Mr. Gamble in the chair.
- The House resumed.
- Progress reported—sit again to-morrow.
- The chairman reported that the committee had made some progress, and asked leave to sit again.
- The report was received, and leave granted accordingly.
- Address to His Exc'y on Rideau and Lachine Canals ordered.
- Pursuant to notice, Mr. Detlor, seconded by Mr. Thomson, moves that an humble address be presented to His Excellency the Governor General, requesting His Excellency will be pleased to transmit to this House any information, which he may possess

in reference to the address and resolutions of this House of last Session, regarding the improvement of the navigation of the Rideau and Lachine Canals; and that Messrs. Morris and Ferrie be a committee to draft and report the same.

Which was carried and ordered.

Pursuant to the order of the day, the bill to incorporate the Thames Navigation company was read the second time.

Thames Navigation bill read second time and committed.

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

Mr. Shaver in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Adjourned.

TUESDAY, 24th December, 1839.

The House met.

The minutes of yesterday were read.

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

Petitions brought up:

By Mr. Solicitor General, the petition of John W. Dempsey; and the petition of the President, Directors, and Company, of the Bank of Upper Canada.

J. W. Dempsey, President, &c. Bank of Upper Canada.

And by Mr. Hunter, the petition of Elijah Nellis, of the township of Blandford, in the district of London.

Elijah Nellis.

Pursuant to the order of the day, the address to Her Majesty respecting the importation of tea from the United States, was read the third time and passed, and is as follows :—

Address to Her Majesty on importation of tea passed.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Majesty may be graciously pleased to recommend to your Imperial Parliament, that the Act prohibiting the importation of Tea into this Province, from the United States of America, may be amended in such manner as to enable the same to be imported upon the payment of a certain duty.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Twenty-fourth day of December, 1839. }

Pursuant to the order of the day, the bill to levy an additional assessment on the new district of Dalhousie, was read the third time and passed.

Bill to levy additional assessment on new district of Dalhousie passed

Mr. McKay, seconded by Mr. Lewis, moves, that the bill be entitled, "An Act to authorise the levying of an additional tax, for the purpose of building a gaol and court house at Bytown, in the district of Dalhousie."

Title.

Which was carried, and Messrs. McKay and Lewis were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

Address to His Exc'y
for return of road
accounts passed.

Pursuant to the order of the day, the address to His Excellency, the Governor General, for a return of road accounts, was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, a return of all moneys granted since the commencement of the present Parliament for the improvement of the roads,—and the proportion of the same that has been paid into the hands of the several District Treasurers—also a full and complete return, stating to whom said moneys have been paid, and how accounted for, and what proportion, if any, is still in the hands of the Treasurers;—also returns of all moneys by them received from the wild land Tax, and other sources, and available for the improvement of the roads, and the manner in which the same have been expended.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-fourth day of December, 1839. }

Messrs. Thomson and Gowan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Bill to alter the election
laws read third time.

Pursuant to the order of the day, the bill to alter the election laws was read the third time.

On question for passing,

On the question for passing the bill,

Amendment.

In amendment—Mr. Sherwood, seconded by Mr. Cartwright, moves that the bill do not now pass, but that it be referred to a select committee, consisting of Messrs. Thomson, Cartwright, and Morris, with power to report thereon; and that it be a special instruction to the said committee to add to the said bill provisions to have a registration of votes within this Province.

Division on amendment.

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

Y E A S .

Yeas—16.

Messrs. *Attorney General, Burritt, Burwell, Cartwright, Chisholm of Halton, Elliott, Gamble, Hunter, Jarvis, Lewis, McDonell of Glengarry, McLean, Murney, Powell, Sherwood, Solicitor General*—16.

N A Y S .

Nays—16.

Messrs. *Chisholm of Glengarry, Cook, Dettor, Gowan, Manahan, McCargar, McDonell of Stormont, McIntosh, McMicking, Moore, Morris, Shaver, Small, Thomson, Thorburn, Woodruff*—16.

Amendment carried—
casting vote.

The question of amendment was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly.

Home District Quarter
Sessions bill passed.

Pursuant to the order of the day, the bill to alter the time for holding the Court of General Quarter Sessions in the Home District was read the third time, and passed.

Title.

Mr. Gamble, seconded by Mr. Gowan, moves that the bill be entitled “An Act to appoint the time for holding the Court of General Quarter Sessions of the peace for the Home District, and to repeal the law now in force for that purpose.”

Bill sent to Leg. Council

Which was carried, and Messrs. Gamble and Gowan were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the bill to attach certain townships to the county of Huron, was read the third time and passed. Bill to attach certain townships to County of Huron passed.

Mr. Parke, seconded by Mr. Solicitor General, moves that the bill be entitled, "An Act to attach certain townships to the County of Huron." Title.

Which was carried, and Messrs. Parke and Solicitor General were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

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

Of Thomas Ketcheson, and sixty-six others, of Frankford and its vicinity, in the district of Victoria, praying for certain alterations in the law of treason. Of Thos. Ketcheson and others.

And of the Board of Trade, praying for an increase in the capital stock of the Commercial Bank, and of banking capital generally. Of the Board of Trade.

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

Ordered—That the petition of the Board of Trade for the city of Toronto, be referred to a select committee to be composed of Messrs. Cartwright and Morris, with power to report thereon by bill or otherwise. Petitions referred:
Of Board of Trade of Toronto to select com.

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

Ordered—That the petition of the Mayor and corporation of the city of Toronto be referred to a select committee to consist of Messrs. Thomson and Hunter, with power to report thereon by bill or otherwise. Of Mayor and Corporation of Toronto to select committee.

On motion of Mr. Small, seconded by Mr. McDonell, of Stormont,

Ordered—That the petition of J. F. Maddock and George Hamilton be referred to the committee of the whole House on supply. Of J. F. Maddock and G. Hamilton to committee of supply.

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

Ordered—That the Petition of Thomas Ketcheson and others, be referred to the committee to whom was referred the petition of John Covert and others relating to the law of treason. Of Thos. Ketcheson and others, to com. on pet. of J. Covert and others.

Mr. Gamble gives notice that he will on Monday next, move that an humble address be presented to His Excellency the Governor General, praying that he will be pleased to transmit to this house the reports from the several turnpike trusts in the Home District for the present year. Notices:
Of address to His Exc'y for Home District road reports.

Mr. Parke, from the committee to draft an address to His Excellency the Governor General, thanking him for his Message of yesterday, reported a draft, which was received and read the first time. Address of thanks reported and read 1st time

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

In amendment, Mr. Parke, seconded by Mr. Sherwood, moves that the address be not read a second time on Monday next, but that it be read a second time forthwith.

Which was carried, and the address was read the second time and concurred in. Address read 2d time and concurred in.

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

In amendment—Mr. Parke, seconded by Mr. Sherwood, moves that the address be not read a third time on Monday next but that it be read a third time forthwith.

Which was carried, and the address was read the third time and passed and is as follows: Address read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your Message of yesterday on the subject of the bill for the future disposition of the Clergy Reserves. Address

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-fourth day of December, 1839. }

Committee to carry up address.

Messrs. Sherwood and Parke were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Select com. on petition of Mrs. Blackwood present report.

Mr. Jarvis, from the select committee to which was referred the petition of Mrs. Blackwood, presented a report, which was received and read.

Report—(See Appendix.)

Report referred to committee of supply.

On motion of Mr. Jarvis, seconded by Mr. McLean,
*Ordered—*That the report of the select committee, to whom was referred the petition of Mrs. Blackwood, be referred to the committee of supply.

Address to His Exc'y on Rideau and Lachine canals reported and read first time.

Mr. Morris, from the committee to draft an address to His Excellency, the Governor General, for information respecting the address of last Session, on the subject of the Rideau and Lachine canals, reported a draft, which was received and read the first time.

3d reading Monday.

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

Leave of absence granted to Messrs. McMicking, Woodruff, and Thorburn.

On motion of Mr. Shaver, seconded by Mr. Cook,
*Ordered—*That Messrs. McMicking, Woodruff, and Thorburn, members for the district of Niagara, have leave to absent themselves from their duties as members of this House, until Wednesday, the 1st January ensuing.

Hallowell division bill read second time and committed.

Pursuant to the order of the day, the bill to divide the township of Hallowell was read the second time.

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

Mr. Lewis in the chair.

The House resumed.

Progress reported—sit again on Monday.

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

The report was received, and leave granted accordingly.

Speaker reports letter from Sir Geo. Arthur in answer to resolution of approbation.

Mr. Speaker reported that he had received a letter from His Excellency, Sir George Arthur, Lieutenant Governor, in answer to the resolution of this House, approving of His Excellency's conduct in administering the Government, which was read as follows:

GOVERNMENT HOUSE,

Toronto, 24th December, 1839.

SIR:

Letter.

I have the honor to acknowledge your letter of yesterday's date, enclosing a resolution of the House of Assembly, passed on the 21st inst.

Nothing could be more acceptable to my feelings than the terms in which the House of Assembly have been pleased to express their sense of the manner in which the power with which Her Majesty was graciously pleased temporarily to invest me, has been exercised during the eventful period of my administration of the affairs of Upper Canada, and I beg to request that you will make known to the House of Assembly how very highly I appreciate this gratifying testimony of their sentiments.

For the very flattering terms in which you have conveyed to me the resolution of the House of Assembly, allow me to desire you will accept my cordial acknowledgments.

I have the honor to be,

Sir,

Your obedient humble servant,

GEORGE ARTHUR.

The Honorable

The Speaker of the

House of Assembly.

Mr. Secretary Tucker came to the bar, and delivered the public accounts for 1839, and estimates for 1840. Public accounts brought down.

The schedule thereof is as follows:—

UPPER CANADA.

SCHEDULE OF ACCOUNTS prepared to be laid before the Legislature, Fifth Session of the Thirteenth Parliament.

	£	s.	d.
No. 1—Statement of Revenue arising from Duties on Importations by Sea at Quebec from 1st January to 1st July, 1839,	36342	0	8
2—Statement of Revenue arising from duties on Importations from the United States, from 1st January to 30th September, 1839,	11291	18	10½
3—Statement of Revenue arising from Licenses to Hawkers and Pedlars, from 1st January to 30th September, 1839,	104	10	0
4—Statement of Revenue arising from Licenses to Auctioneers and Sales at Auction, from 1st January to 30th September, 1839,	536	13	1
5—Statement of Revenue arising from Tonnage duty of British Vessels, from 1st January to 30th September, 1839,	267	19	0
6—Statement of Balances in hands of Collectors of Customs, 5th October ... and 14th November, 1839,	6987 2222	7 & 17	0½ 1½
7—Statement of Revenue arising from Duties on Licenses issued by Inspectors of Districts, from 5th January to 5th October, 1839,	7718	18	11
8—Statement of Balances in hands of Inspectors, 5th October, 1839,	1168	0	2½
9—Abstract of Warrants issued on Receiver General, between 1st January and 5th October, 1839,	94313	15	7
10—Statement of Receiver General's Receipts and Payments of Provincial Revenue, from 1st January to 5th October, 1839. Balance,	22123	4	6½
11—Estimate of the Civil Expenditure of the Province, for the year 1840			
12—General Estimate of the Expenditure and Resources of the Province, to 31st December, 1839, and for the year 1840.			
13—Statement of Monies due by former Collectors of Customs and Inspectors of Licenses.			

JOHN MACAULAY,
Inspector General.

Inspector General's Office, }
Third December, 1839. }

Pursuant to notice, Mr. Gowan, seconded by Mr. Sherwood, moves that the House resolve itself into a committee of the whole, for the purpose of taking into consideration the propriety of presenting an address to Her Majesty on the subject of the contemplated Union of the Provinces. Committee of whole on addressing Her Majesty on Union, (Mr. Gowan's motion.)

Which was carried, and the House was put into a committee of the whole accordingly.

Mr. Attorney General in the chair.

The House resumed.

The chairman reported the committee had risen for want of a quorum.

No quorum.

V

PRESENT :

Members present. Messrs. *Attorney General, Burritt, Burwell, Cartwright, Dettor, Elliott, Gamble, Gowan, Jarvis, Kearnes, Lewis, Malloch, Manahan, McDonell* of Glengarry, *McKay, McLean, Morris, Murney, Powell, Thomson*,—20.

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

MONDAY, 30th December, 1839.

The House met.

The minutes of Tuesday last were read.

House in committee on Mr. Gowan's motion of Tuesday.

Pursuant to the order of the day, the House was again put into a committee of the whole on Mr. Gowan's motion of Tuesday last on addressing Her Majesty on the Union of the Canadas.

Mr. Prince in the chair.

The House resumed.

Progress reported—sit again to-morrow.

The chairman reported that the committee had made some progress and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

Petitions brought up:

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

W. Robertson and 175 others.

By Mr. Burwell, the petition of William Robertson J. P. and one hundred and seventy-five others of the town of London.

J. Cummings.

By Mr. Manahan, the petition of James Cummings, of the town of Kingston.

A. Stewart and 150 others.

By Mr. McDonell of *Glengarry*, the petition of Archibald Stuart and one hundred and fifty-eight others, of the township of Lancaster in the Eastern District.

W. Chisholm and 9 others.

By Mr. McKay, the petition of William Chisholm Esquire and nine others of the district of Gore.

Sir A. N. Macnab and 43 others.

By Mr. Aikman, the petition of Sir Allan N. Macnab, and forty-three others, stockholders of the Great Western Railroad Company.

C. Barnhart.

By Mr. Sherwood, the petition of Charles Barnhart, of the township of Toronto (York.)

E. Ryall.

By Mr. Gowan, the petition of Edward Ryall, of Oro, in the Home District.

B. Willson.

By Mr. Parke the petition of Benjamin Willson and fifty-three others, of the district of London.

R. J. Turner.

By Mr Prince, the petition of Robert J. Turner, of the city of Toronto: the petition of James Read and two others, commissioners for erecting a bridge over the River Thames at Chatham; the petition of Peter V. Verhoeff, of the township of Sandwich in the Western District; the petition of James Eliot, of Chatham, in the Western District; and the petition of Raymond Baby, Sheriff, and fifty five others of the town and township of Sandwich.

J. Read and 2 others.

P. V. Verhoeff.

J. Eliot.

R. Baby.

Magistrates Home District.

And by Mr. Small, the petition of the Magistrates of the Home District, in General Quarter Sessions assembled.

Pursuant to the order of the day the following petitions were read.

Petitions read:
Of C. A. Low and others.

Of Charles A. Low, and four hundred others, of the district of Ottawa, praying for an Union of Upper and Lower Canada.

Of A. McGillivray and others.

Of Angus McGillivray, and two hundred and twenty others of the Eastern and Ottawa Districts, praying that certain concessions of Lochiell and Kenyon may be erected into a separate township and joined to the county of Prescott.

Of Joseph B. Clench, Chairman Quarter Sessions of the district of London, praying for authority to raise a further sum of money for building the Gaol therein. Of J. B. Clench.

And of E. P. Ryerse, and John Harris, and ninety others, of the district of London, praying for a loan of £1000, to enable them to complete their improvement of the harbour at the mouth of Ryerse's creek. Of E. P. Ryerse and others.

Mr. Sherwood gives notice that he will on to-morrow move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House whether any answer has been received to the joint address of the Legislative Council and House of Assembly of last session, to Her Majesty on the subject of Chelsea Pensioners, and if any answer has been received that His Excellency will cause the same to be transmitted for the information of this House. *Notices:*
Of address to His Exc'y relative to joint address of last session on Chelsea Pensioners.

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

Ordered—That the petition of Angus McGillivray and others, be referred to a select committee consisting of Messrs. McKay, Hotham and Chisholm of *Glengarry*, with power to report by bill or otherwise. *Petitions referred:*
A. McGillivray to select committee.

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

Ordered—That the petition of Robert Lang and others be referred to the committee to whom was referred the petition of John Covert and others. Robert Lang and others to com. on petition of J. Covert.

On motion of Mr. Parke, seconded by Mr. Cook,

Ordered—That the petition of John Douglas and others of the town of London, be referred to a select committee consisting of Messrs. Prince and Hunter, to report thereon. J. Douglas and others to select committee.

Mr. Ferrie, from the select committee to which was referred the petition of W. B. Van Every and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Com. on petition of W. B. Van Every report Barton road bill.

The report was received, and the bill was read the first time. Bill read.

Ordered—That the Barton road bill be read a second time to-morrow. 2d reading to-morrow.

Mr. Gowan, from the select committee to which was referred the petition of A. Acton, presented a report, which was received and read. Com. on petition of A. Acton report.

Report—(See Appendix.)

Mr. Speaker presented to the House the Statutes of the Imperial Parliament, which were transmitted to him by Lord John Russell, Her Majesty's principal Secretary of State for the Colonies, and they were laid on the table. Mr. Speaker reports the receipt of certain Statutes of the Imperial Parliament, from Lord J. Russell.

Pursuant to the order of the day, at 12 o'clock, noon, the House was called. Call of the House.

MEMBERS ABSENT.

- Messieurs ALWAY,
ARMSTRONG, (*sick.*)
BOCKUS,
CALDWELL,
CAMERON,
CORNWALL,
DUNCOMBE,
MARKS, (*with leave.*)
MATHEWSON,
McDONELL of Northumberland.
McMICKING, (*with leave.*)
MERRITT,
RICHARDSON,
ROBINSON,
RYKERT,
SALMON, (*sick.*)
SHADE,
THORBURN, (*with leave.*)
WICKENS,
WOODRUFF, (*with leave.*)

Members absent.

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

Ordered—That the letter of the Speaker, transmitting the resolution of this House to His Excellency, Sir George Arthur, approving of His Excellency's administration, be entered upon the journals.

The letter is as follows :

HOUSE OF ASSEMBLY,
23d December, 1839.

SIR:

Letter.

I have the honor to transmit to Your Excellency the copy of a resolution of the House of Assembly, expressing the high sense entertained by that body of the ability, uprightness and impartiality, with which Your Excellency has discharged the arduous and important duties of your office, since you assumed the administration of the public affairs of this Province.

From the position I occupy, as Speaker of the Assembly, I had no opportunity of taking part in the discussion, or of expressing my opinion upon the subject, I therefore take leave, in carrying into effect the order of the House, to assure Your Excellency that I most cordially concur in the resolution.

I have the honor to be,

With the highest respect,

Your Excellency's

Most obedient humble servant,

ALLAN N. MACNAB,

SPEAKER.

His Excellency,

Sir George Arthur,

Lieutenant Governor,

&c. &c. &c.

Motion to print letter and reply.

Mr. Murney, seconded by Mr. Morris, moves, that five hundred copies of the resolution of this House to His Excellency, Sir George Arthur, approving of His Excellency's administration of the government, together with the speaker's letter communicating the same, and His Excellency's reply, be printed for the use of members, with the yeas and nays.

Division.

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—35.

Messrs. *Aikman, Attorney General, Burritt, Burwell, Cartwright, Chisholm of Halton, Cook, Dettor, Dunlop, Elliott, Ferrie, Gamble, Gowan, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, Morris, Murney, Powell, Prince, Ruttan, Shaver, Sherwood, Small, Solicitor General, Thomson*—35.

N A Y S .

Nays—3.

Messrs. *Chisholm of Glengarry, McIntosh, Moore*,—3,

Carried—majority 32.

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

Com. of whole again on plaintiffs' security bill.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to require plaintiffs to give security for costs.

Mr. McKay in the chair.

The House resumed.

Bill reported without amendment.

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

Report not received.

The report was not received.

The Committee resumed.

Committee resumed.

Mr. McKay in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave was granted accordingly.

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

Ordered—That the Plaintiff's security bill be referred to a select committee consisting of Messrs. Small and Solicitor General, with power to report thereon.

Bill referred to sel. com.

Pursuant to notice, Mr. Manahan, seconded by Mr. McDonell of *Stormont*, moves that an humble address be presented to His Excellency the Governor General, praying His Excellency to appropriate for the site of the Lunatic Asylum certain eighty acres of land, or such portion of the same as may be deemed necessary, being the unoccupied portion of one hundred acres of land purchased for the uses and erection of the Provincial Penitentiary near Kingston, upon which site, already paid for, at present waste, having the chief materials, limestone and lumber, in abundance upon the spot,—the Asylum may be built by convict labour, at very little expense to the Province—and further that His Excellency would be pleased to appoint new commissioners to superintend the erection of the same—and that Messrs. Cartwright and Murney be a committee to draft, report and present the same.

Address to His Exc'y on site of lunatic asylum ordered.

Which was carried and ordered.

On motion of Mr. Manahan, seconded by Mr. Small,

Ordered—That the resolution first adopted be referred to a select committee consisting of Messrs. Cartwright, Attorney General, and Solicitor General, with power to send for persons and papers, and report by address or otherwise.

Resolution referred to select committee.

Pursuant to the order of the day, the address to his Excellency the Governor General, respecting certain Canal Reserves in the township of Murray, was read the second time.

Address to His Exc'y on Murray Canal Reserves read second time and committed.

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

Mr. Chisholm of *Hullon* in the chair.

The House resumed.

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

Address reported without amendment.

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Ruttan, seconded by Mr. Gamble, moves, that the address be engrossed and read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

3d reading to-day.

Pursuant to notice, Mr. McDonell of *Stormont*, seconded by Mr. Burwell, moves for leave to bring in a bill to extend the provisions of an act passed in the second year of Her Majesty's Reign, entitled "An Act granting to Her Majesty a sum of money for the improvement of the post road between Cornwall and L'Orignal."

Bill to continue Cornwall and L'Orignal road act brought in.

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

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

Bill read.

2d reading to-morrow.

Pursuant to the order of the day, the bill to amend the act regulating the distribution of district funds, was read the second time.

District funds bill read 2d time and committed.

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

Mr. Murney in the chair.

	The House resumed.
Progress reported—sit again to-morrow.	The Chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.
	The report was received, and leave granted accordingly.
Bill to amend law relating to foreign aggressions brought in.	Pursuant to notice, Mr. Attorney General, seconded by Mr. Solicitor General moves for leave to bring in a bill to amend the laws relating to the punishment of persons committing aggressions in this Province from foreign countries.
Bill read.	Which was granted, and the bill was read the first time.
2d reading to-morrow.	<i>Ordered</i> —That the bill be read a second time to-morrow.
Bill to amend law on enticing soldiers to desert brought in.	Pursuant to notice, Mr. Attorney General, seconded by Mr. Solicitor General, moves for leave to bring in a bill to amend the laws relating to the punishment of persons found guilty of enticing soldiers to desert Her Majesty's service.
Bill read.	Which was granted, and the bill was read the first time.
2d reading to-morrow.	<i>Ordered</i> —That the bill be read a second time to-morrow.
	On motion of Mr. Cartwright, seconded by Mr. Detlor,
Sel. com. on petition of President, &c of Commercial Bank discharged, and petition referred to com. on petition of Board of Trade.	<i>Ordered</i> —That the committee to whom was referred the petition of the President, Directors, and Company of the Commercial Bank, be discharged so far as relates to the same, and that the said petition be referred to the committee to whom was referred the petition of the Board of Trade of the city of Toronto.
Bill to amend Public Lands Sale Act brought in.	Pursuant to notice, Mr. McDonell of <i>Glengarry</i> , seconded by Mr. Chisholm of <i>Glengarry</i> , moves for leave to bring in a bill to amend an act passed in the 7th year of his late Majesty's Reign, entitled "An Act to provide for the disposal of the public lands in this province and other purposes therein mentioned."
Bill read first time.	Which was granted, and the bill was read the first time.
2d reading to-morrow.	<i>Ordered</i> —That the bill be read a second time to-morrow.
Journals read on petition of James Sampson.	Pursuant to notice, Mr. Manahan, seconded by Mr. McDonell of <i>Glengarry</i> , moves that so much of the journals of last session as relates to the claim of James Sampson, Physician to the Provincial Penitentiary, be now read.
	Which was carried, and the journals were read accordingly.
	(Printed Journals, page 163.)
	On motion of Mr. Manahan, seconded by Mr. McDonell of <i>Glengarry</i> ,
Referred to select com.	<i>Ordered</i> —That so much of the journals as was now read relating to the petition of Dr. James Sampson be referred to the committee of enquiry into the affairs of the Provincial Penitentiary.
Com. of whole again on Inn-keepers' License bill.	Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to regulate the manner of granting licenses to innkeepers.
	Mr. Parke in the chair.
	The House resumed.
Bill reported without amendment.	The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
	•The report was received.
3d reading to-morrow.	<i>Ordered</i> —That the bill be read a third time to-morrow.
Address to His Exc'y on "Hunters" read 2d time and committed.	Pursuant to the order of the day, the address to His Excellency, the Governor General, respecting "Hunters," was read the second time.
	The House was put into a committee of the whole on the same.
	Mr. Attorney General in the chair.
Black Rod.	Mr. Speaker resumed the chair, Black Rod being at the door
	Mr. Speaker left the chair.

The chairman resumed the chair of committee.	
Mr. Speaker resumed the chair on a question of order.	Question of order.
Mr. Speaker left the chair.	
The chairman resumed the chair of committee.	Committee resumed.
The House resumed.	
The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House.	Address reported without amendment.
The report was received.	
<i>Ordered</i> —That the address be engrossed and read a third time to-morrow.	3d reading to-morrow.
Mr. Speaker reported that the Master in Chancery had brought down a Message from the Honorable the Legislative Council.	Speaker reports message from Leg. Council.
The message was read as follows:—	Message.
MR. SPEAKER:	
The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to extend the time for completing the Erie and Ontario Rail Road," without any amendment.	Erie and Ontario rail road completion bill passed Leg. Council.
	JONAS JONES, SPEAKER.
Legislative Council Chamber, Thirtieth day of December, 1839. }	

Pursuant to notice, Mr. Gowan, seconded by Mr. Morris, moves for leave to introduce a bill to permit solicitors of the High Court of Chancery in England, and also attorneys of the Superior Courts at Law in Great Britain and Ireland, to practise as solicitors and attorneys respectively in the Courts of Equity and Law in this Province.	Bill to permit English Attorneys and Solicitors to practise brought in.
Which was granted and the bill was read the first time.	Bill read.
<i>Ordered</i> — That the bill be read a second time to-morrow.	2d reading to-morrow.
Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act to authorise the Court of Queen's Bench to admit John Ford Maddock to practise as an attorney in that Court," was read the second time.	Maddock's relief bill (L. C.) read second time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Malloch in the chair.	
The House resumed.	
The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the house.	Bill reported without amendment.
The Report was received.	
<i>Ordered</i> —That the bill be read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the House was put into a committee of the whole on the subject of taxing wild lands.	Com. of whole on taxing wild lands.
Mr. Powell in the chair.	
The House resumed.	
The chairman reported that the committee had made some progress and asked leave to sit again to-morrow.	Progress reported—sit again to-morrow.
The report was received, and leave granted accordingly.	
Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to restrain the practice of duelling.	Com. of whole again on duelling prevention bill.
Mr. Gowan in the chair.	
The House resumed.	

- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress in the bill and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of whole again on bill to prevent spirituous liquors entering gaols. Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to prevent spirituous liquors from entering into gaols.
Mr. Malloch in the chair.
The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Com. of whole again on registry bill. Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the registry laws.
Mr. Detlor in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of supply again on petition of J. Campbell. Pursuant to the order of the day, the House was again put into a committee of supply on the petition of John Campbell.
Mr. Boulton in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of supply again on report on petition of Dr. Dormer. Pursuant to the order of the day, the House was again put into a committee of supply on the report of select committee, on petition of Dr. Dormer.
Mr. Robinson in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of supply again on report on petition of H. Smith. Pursuant to the order of the day, the House was again put into a committee of supply on the report of select committee on the petition of H. Smith.
Mr. Rykert in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of whole again on bill to appoint commissioners to investigate public accounts. Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint commissioners to investigate the public accounts.
Mr. Caldwell in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Queen's Bench Reporter regulation bill read 2d time and committed. Pursuant to the order of the day, the bill to regulate the office of Queen's Bench Reporter was read the second time.

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

Mr. Aikman in the chair.

The House resumed.

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

The report was received.

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

Pursuant to the order of the day, the House was again put into a committee of supply on the petition of John Turnbull and others. Com. of supply again on petition of J. Turnbull and others.

Mr. Gamble in the chair.

The House resumed.

The Chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received.

The resolution was put and carried as follows :

Resolved—That the additional tax of a penny in the pound be continued for the purpose of paying the debt contracted for building the gaol and Court House in the district of Victoria, until said debt be discharged. Resolution—(additional tax on district of Victoria.)

On motion of Mr. Murney, seconded by Mr. Manahan,

Ordered—That Messrs. Morris and Robinson be a Committee to draft and report a bill pursuant to the foregoing resolution. Com. to draft bill on resolution.

Adjourned.

TUESDAY, 31st December, 1839.

The House met.

The minutes of yesterday were read.

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

By Mr. Cartwright, the petition of the Magistrates of the Midland District, in General Sessions assembled. Of Magistrates Midland District.

By Mr. Shaver, the petition of James Fox, J. P., and forty-two others of the townships of Mountain and Winchester, in the district of Bathurst. Of J. Fox and 42 others

By Mr. Rykert, the Petition of N. Paulding, and one hundred and thirty-nine others, of the townships of Niagara, Grantham and Louth, in the district of Niagara ; and the petition of Rebecca McIntee, widow. Of N. Paulding and 139 others.
Of Rebecca McIntee.

By Mr. Boulton, the petition of Helen Handley, of the Town of Cobourg. Of Helen Handley.

By Mr. Murney, the petition of Thomas Bailey, of the township of Huntingdon in the district of Victoria. Of Thos. Bailey.

By Mr. McLean, the petition of John Crysler, J. P., and one hundred and seventy others, of the county of Stormont. Of J. Crysler and 170 others.

By Mr. Elliott, the petition of Thomas Kells, and two hundred and seventy others, of the township of Cavan, in the district of Newcastle. Of Thos. Kells and 271 others.

And by Mr Aikman, the petition of John Brander, and two hundred and ninety-four others, of certain townships in the district of Gore. Of J. Brander and 294 others.

Address to His Exc'y on Murray Canal Reserves read third time and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General respecting certain Canal Reserves in the township of Murray, was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request that Your Excellency will be pleased to inform this House in reference to the answer of His Excellency the Lieutenant Governor of the 26th February 1838, to the address of this House on the subject of certain Crown Lands appropriated by Her Majesty's Government to the construction of the Murray Canal, whether a value has yet been placed upon such land, and if so, what such value may be.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Thirty-first day of December, 1839. }

Committee to carry up address.

Messrs. Ruttan and Gamble were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Inn-keepers' license bill read 3d time and passed

Pursuant to the order of the day, the bill to regulate the manner of granting licenses to Innkeepers was read the third time and passed.

Title.

Mr. Gamble, seconded by Mr. Ruttan, moves that the bill be entitled "An Act for further regulating the manner of granting licenses to innkeepers and to the keepers of ale and beer houses within this Province."

Bill sent to Leg. Council

Which was carried, and Messrs. Gamble and Ruttan were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council and to request their concurrence thereto.

Address to His Exc'y on Hunters read third time and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General for information respecting "Hunters" was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will cause to be laid before this House, (if not inconsistent with the public service,) all such information as may have been communicated to the Executive Government of this Province, or to either of the Crown Officers, touching the foundation, within any district of this Province, of secret societies commonly known by the name of "Hunters," or "Hunter's Lodges," or of the combination of bodies of men leagued together under illegal oaths, with a view to the subversion of our Constitution and the separation of this Colony from the parent state.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Thirty-first day of December, 1839. }

Messrs. Boulton and Cartwright were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill sent down by the Honourable the Legislative Council entitled "An act to authorize the Court of Queen's Bench to admit John Ford Maddock to practise as an attorney in that Court," was read the third time and passed.

Messrs. Gowan and Prince were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to inform that Honourable House that this House had passed the same without amendment.

Pursuant to the order of the day, the bill to prevent the introduction of spirituous liquors into gaols, was read the third time and passed.

Mr Morris, seconded by Mr. Murney, moves that the bill be entitled "An Act to restrain the introduction of spirituous liquors into the common Gaols of this Province."

Which was carried, and Messrs. Morris and Murney were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill to regulate the office of Queen's Bench Reporter was read the third time and passed.

Mr. Solicitor General, seconded by Mr. Shaver, moves that the bill be entitled, "An Act for the better regulation of the Office of Reporter to the Court of Queen's Bench in this Province."

Which was carried, and Messrs. Solicitor General and Shaver were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

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

Of John W. Dempsey, praying to be admitted to practise as an Attorney in this Province.

Of the President, Directors and Company of the Bank of Upper Canada, praying that their capital stock may be increased to £500,000, and their Act of Incorporation extended for a further term of years.

And of Elijah Nellis, of the township of Blandford, in the district of London, praying to be naturalized.

Mr. Cartwright, seconded by Mr. Detlor, moves that the petition of the Magistrates of the Midland District, in General Quarter Sessions assembled, be now read, and that the forty first rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the petition of the Magistrates of the Midland District, in General Quarter Sessions assembled, praying for authority to levy an additional assessment, to defray the expense of erecting a wall around the gaol, was read.

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

Ordered—That the petition of the Magistrates of the Midland District, in General Quarter Sessions assembled, be referred to the committee of the whole House of supply, on to-morrow.

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

Ordered—That the petition of John W. Dempsey, be referred to a select committee, to consist of Messrs. Small and Boulton, with power to send for persons and papers, and to report thereon by bill or otherwise.

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

Ordered—That the petition of the President and Directors of the Bank of Upper Canada, be referred to the committee on banking, with power to send for persons and papers, and to report thereon by bill or otherwise.

On motion of Mr. Powell, seconded by Mr. Lewis,

Ordered—That the petition of William R. F. Berford and others, be referred to the committee to whom was referred the petition of Robert Lang and others.

Com. to carry up address

Bill to admit J. F. Maddock as an Attorney (L. C.) read third time and passed.

Bill sent back to Legislative Council.

Bill to prevent spirituous liquors entering gaols read 3d time and passed
Title.

Bill sent to Leg. Council

Queen's Bench Reporter regulation bill read 3d time and passed.
Title.

Bill sent to Leg. Council

Petitions read:

Of J. W. Dempsey.

Of President, &c. of Bank of Upper Canada.

Of E. Nellis.

Of Magistrates Midland District.

Petitions referred:

Of Magistrates, Midland District, to committee of supply to-morrow.

Of J. W. Dempsey to select committee.

Of President, &c. of Bank of Upper Canada to com. on banking.

Of W. R. F. Berford and others to committee on petition of R. Lang and others.

Notices :

Of committee of supply,
support of common
schools.

Of address to Her
Majesty on Union of
the Canadas.

Mr. Thomson give notice, that he will on to-morrow, move that the House resolve itself into a committee of supply for the purpose of granting a sum of money for the support and maintenance of Common Schools within this Province.

Mr. Cartwright gives notice that he will, on to-morrow, move the following address:

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg permission to approach your Majesty with renewed expression of our unwavering attachment to your Majesty's Royal person and government.

During the present session of your Provincial Parliament, a subject more important than any other that has ever engaged the attention of the representatives of the people, has been brought under their consideration in pursuance of the commands of Your Majesty, by Your Majesty's Governor General of these Provinces, namely; the legislative Re-union of Upper and Lower Canada. In the Message of His Excellency to the two branches of the Legislature, they are informed that "after the most attentive and anxious consideration of the state of these Provinces, and of the difficulties under which they respectively labour, Your Majesty's advisers came to the conclusion that by their re-union alone could these difficulties be removed: that during the last session of the Imperial Legislature they refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the principle of the measure, or its necessity; it arose solely from the desire to ascertain more fully the opinions of the legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces."

The House of Assembly deeply feel this additional proof of your Majesty's solicitude for their happiness and prosperity; and it will ever be held by them in grateful remembrance.

In pursuance of the message referred to, the House of Assembly lost no time in taking into consideration the three distinct propositions submitted by Your Majesty's Governor General as the basis on which the Re-union might be established, namely: First—equal representation of each Province in the United Legislature—Secondly—the grant of a sufficient Civil List—and Thirdly—That the public debt of this Province be charged on the joint revenue of the United Province.

To each of these propositions the Assembly has declared its assent: But it becomes the duty of this House to inform Your Majesty—that while a proportion of its Members, apprehending the greatest danger to our civil and political Institutions—and even to our connexion with the Parent State, from the Union of the Provinces on any terms, there is a majority who are not wholly free from apprehensions as to the result—regarding it as a hazardous experiment—and are therefore altogether unwilling that your Majesty or the Imperial Parliament should be led to suppose that the propositions brought under their notice by the Governor General are the only stipulations for which they are prepared to contend: on the contrary, those who are disposed to vote for the Union on any terms, and have recorded their votes in favour of it upon certain specified conditions, would never have been induced to do so, did they not feel the most perfect confidence that Your Majesty, regarding the just and reasonable claims of this Province to have their Institutions and their connexion with the Imperial crown of Great Britain and Ireland secured, would assent to other, and as they conceived, equally important provisions. In voting for equal representation to the almost universally disaffected inhabitants of Lower Canada of foreign origin, this House does not disguise from itself the danger of finding the great body of the loyal people of this Province in a minority in the United Assembly, when it shall meet for deliberation on public affairs.—On the contrary, they sincerely lament to be compelled, by a regard for sincerity and truth, to say, that their apprehensions are, that such will be the case. To guard against the consequences of such a contingency, this House can discern no other effectual measure than by rendering as speedily as possible both Provinces "British" in fact as well as in name. For the accomplishment of this great and all-important object, a well organized system of emigration from the British Isles should, without loss of time, be established and vigorously carried into effect. The extensive domain in Upper and Lower Canada, placed in right of Your Majesty's Sovereignty at Your Majesty's disposal, should be at once, and without any other restrictions than such as will conduce to their immediate and successful settlement,

appropriated for the residence of such of our loyal and enterprising fellow subjects as may be disposed to establish themselves among us. Obtaining revenue from these lands for any other purpose than to promote their settlement, we humbly represent to Your Majesty, would be a most unwise and unprofitable policy.

Of address to Her Majesty on Union of the Canadas.

We most respectfully entreat Your Majesty, that the use of the English language in all judicial and legislative records be forthwith introduced, and that the use of the English language only be allowed in the Provincial Legislature:—And as a matter of justice to Your Majesty's subjects in Upper Canada, we earnestly and confidently appeal to Your Majesty to admit their right to have the seat of the Provincial Government established within the Province. It surely cannot be denied to the people of this colony, that if favor is to be shewn to either Upper or Lower Canada, that their claim stands pre-eminent; independent of which, the moral and political advantages of the concession are too obvious and undeniable to admit of dispute.

Lastly, it is with the most sincere satisfaction that this House has received from Your Majesty's Representative the assurance that the bill introduced into the House of Commons during the last session of the Imperial Legislature, is not to be "considered as embodying the provisions which may hereafter be adopted by the Imperial Parliament." "And that it is His Excellency's intention to recommend to Her Majesty's Government in the new measure that must be introduced, to adhere as much as possible to existing territorial divisions for electoral purposes, and to maintain the principle of the Constitutional Act of 1791 with regard to the tenure of seats in the Legislative Council."

We venture to assure Your Majesty that the Constitution under which the people of this Province have lived since the first establishment of a Government among them, is looked upon as their greatest political blessing, and that its abrogation or any interference with the principles it contains, would be regarded as the deepest and heaviest calamity that could befall them. We therefore do no more than perform our duty to our constituents, and every loyal inhabitant of the country, in declaring that under no circumstances, and upon no consideration whatever, can we consent to any change in the principles of the constitution conferred upon the Province by the Imperial Act of 1791.

We beg further respectfully to represent to Your Majesty, that the local laws and municipal institutions of this Province have been settled with much care, and after long and anxious consideration by the Provincial Legislature, the people affected by them are satisfied with their operation; and we therefore trust that they may not be changed by any other authority than the Legislature of the country.

In praying Your Majesty to take into consideration this representation of Your Majesty's faithful subjects, they trust it will be found that they have advanced no unreasonable claim, but that they have been influenced solely by a sincere desire to guard, as far as possible, against the perils with which they are sensible the measure of the Union of the Provinces is surrounded, and which they never would have consented to encounter, if Your Majesty and the Imperial Parliament would have held out any other plan of relief for the embarrassments in which the public affairs of the Colonies are involved: and they now trust that Your Majesty, fully acquainted with all our wants and difficulties, will not confine your consideration to the claims that are referred to in this address, or in any other proceeding of this House, but that continuing to us that gracious and generous protection we have hitherto experienced from Your Majesty and the British nation, Your Majesty will add such further safeguards as in your wisdom may be thought necessary and desirable to protect your faithful subjects in the peaceful enjoyment of their laws and liberties, and to perpetuate their connexion with Your Majesty's Crown and Empire.

Mr. Gowan, from the select committee to which was referred the petition of A. Manahan, Esquire, presented a report, and the draft of an address to His Excellency, the Governor General, which were received.

See com. on petition of A. Manahan, Esq. present report and address to His Exc'y on his behalf.

The report was read.

Report—(See Appendix.)

The address was read the first time.

Address read first time.

*Ordered—*That the address to His Excellency, the Governor General, on behalf of A. Manahan, Esquire, be read a second time to-morrow.

2d reading to-morrow.

Report referred to supply. Bill to amend mutual insurance act brought in. Bill read. 2d reading to-morrow. Com. of whole again on Thames Navigation bill. Bill reported without amendment. Division on third reading to-morrow.

Mr. Gamble, from the select committee to which was referred the petition of J. Kidd, presented a report which was received and read.

Report— (See Appendix.)

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

*Ordered—*That the report of the select committee, to whom was referred the petition of John Kidd, be referred to a committee of the whole on to-morrow.

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

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

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

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to incorporate the Thames Navigation Company.

Mr. Shaver in the chair.

The House resumed.

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

The Report was received.

On the question for the third reading of the bill to-morrow, the yeas and nays were taken as follows :

Y E A S .

Yeas—14.

Messrs. *Aikman, Burwell, Chisholm* of Halton, *Chisholm* of Glengarry, *Dellor, Ferrie, Hunter, Kearnes, Manahan, McCargar, Moore, Murney, Parke, Thomson—14.*

N A Y S .

Nays—17.

Messrs. *Burrill, Cartwright, Cook, Dunlop, Elliott, Gamble, Lewis, Malloch, McDonell* of Glengarry, *McDonell* of Stormont, *McKay, Robinson, Shaver, Sherwood, Small, Solicitor General, Wickens—17.*

Lost—majority 3.

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

Address to His Exc'y for Home District road reports ordered.

Pursuant to notice, Mr. Gamble, seconded by Mr. Ruttan, moves that an humble address be presented to His Excellency the Governor General, praying that he will be pleased to send down to this House the reports from the commissioners of the several turnpike trusts in the Home District, for the present year, and that Messrs. Robinson and Thomson be a committee to draft, report and present the same.

Which was carried and ordered.

Address to His Exc'y on Rideau and Lachine Canals read second time and committed.

Pursuant to the order of the day, the address to His Excellency the Governor General, respecting the Rideau and Lachine Canals, was read the second time.

The House put into committee of the whole on the same.

Mr. Hunter in the chair.

The House resumed.

Address reported without amendment.

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

The report was received.

3d reading to-morrow.

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

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

200 copies of Mr. Cartwright's notice of address on the union to be printed.

*Ordered—*That two hundred copies of his notice of an address to Her Majesty, on the subject of Union, be printed for the use of the Members.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to divide the township of Hallowell.

Com. of whole again on Hallowell division bill.

Mr. Lewis in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

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

Ordered—That when this House adjourns this day, it do stand adjourned until Thursday next.

House to adjourn till Thursday.

Pursuant to notice, Mr. Boulton, seconded by Mr. Aikman, moves that this House do now resolve itself into a committee of supply, on the subject of affording compensation to Members of the Legislative Council, attending the Legislature.

Com. of supply on paying members of Legislative Council.

On which the House divided, and it being carried in the affirmative,

The House was put into a committee of supply accordingly.

Capt. Dunlop in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

The report was received.

Pursuant to notice, Mr. Aikman, seconded by Mr. McDonell, of Stormont, moves for leave to bring in a bill to amend the law regulating the standard of weights and measures in this Province.

Bill to amend law regulating weights and measures brought in.

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

Bill read first time.

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

2d reading on Thursday.

Pursuant to notice, Mr. Boulton, seconded by Mr. Elliott, moves for leave to bring in a bill to postpone the sale of land for the satisfaction of debts.

Bill to postpone sale of land for debt brought in.

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

Bill read.

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

2d reading Thursday.

Pursuant to the order of the day, the House was again put into a committee of the whole, on the subject of addressing Her Majesty relative to the contemplated Union of Upper and Lower Canada.

Com. of whole again on addressing Her Majesty on the Union of the Canadas.

Mr. Murney in the chair.

The House resumed.

The chairman reported that the committee had made some further progress and asked leave to sit again on Thursday next.

Progress reported—sit again on Thursday.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Barton road bill was read the second time.

Barton road bill read 2d time and committed.

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

Mr. Hunter in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

The report was received.

Adjourned.

THURSDAY, 2d January, 1840.

The House met.

The minutes of Tuesday last were read.

Petitions brought up:

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

R. D. Chatterton and
117 others.

By Mr. Boulton, the petition of Richard D. Chatterton and one hundred and seventeen others, of the town of Cobourg.

D. Steward.

By Mr. Thorburn, the petition of Daniel Steward, of the township of Niagara, in the district of Niagara.

G. T. Denison and 116
others.

By Mr. Small, the petition of George T. Denison and one hundred and forty-six others, of certain townships in the Home District.

G. Babcock.

By Mr. Prince, the petition of George Babcock, of the town of Brantford.

S. Washburn and 26
others.

And by Mr. Bockus, the petition of S. Washburn and twenty-six others, of the district of Prince Edward.

Government bank stock
sale bill read 3d time.

Pursuant to the order of the day, the bill to authorise the sale of the Provincial Bank Stock was read the third time.

On the question for passing the bill,

Motion to refer bill to
com. on finance.*In amendment*—Mr. Robinson, seconded by Mr. Solicitor General, moves that the bill do not now pass, but that it be referred to the committee on Finance.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—19.

Messrs. Boulton, Burrill, Burwell, Deltor, Elliott, Ferrie, Hunter, Manahan, McIntosh, McLean, Moore, Robinson, Ruttan, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff—19.

NAYS.

Nays—20.

Messrs. Bockus, Caldwell, Cartwright, Chisholm of Glengarry, Cook, Gowan, Malloch, McCargar, McCrae, McDonell of Glengarry, McKay, Merritt, Morris, Murney, Parke, Powell, Prince, Rykert, Shaver, Sherwood—20.

Lost—majority 1.

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

Division on amendment.

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

YEAS.

Yeas—25.

Messrs. Bockus, Caldwell, Cartwright, Chisholm of Glengarry, Cook, Deltor, Ferrie, Gowan, Malloch, McCargar, McCrae, McDonell of Glengarry, McKay, McLean, Merritt, Morris, Murney, Parke, Powell, Prince, Rykert, Shaver, Sherwood, Thomson, Thorburn—25.

NAYS.

Nays—14.

Messrs. Boulton, Burrill, Burwell, Elliott, Hunter, Manahan, McIntosh, Moore, Robinson, Ruttan, Small, Solicitor General, Wickens, Woodruff—14.

Bill passed—majority
11.

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

Title.

Mr. Powell, seconded by Mr. McDonell of Glengarry, moves, that the bill be entitled, "An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada."

Bill sent to Leg. Council

Which was carried, and Messrs. Powell and McDonell of Glengarry were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the address to His Excellency, the Governor General, for information respecting the Rideau and Lachine Canals, was read the third time and passed, and is as follows:—

Address to His Exc'y on Rideau and Lachine Canals read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House any information which Your Excellency may possess in reference to an address and resolutions of this House of last Session, regarding the improvement of the Rideau and Lachine Canals. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Second day of January 1840. }

Messrs. McKay and Merritt were ordered by the Speaker to wait upon His Excellency with the address, and to present the same. Committee to carry up address.

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

Petitions read:

Of William Robertson, J. P., and one hundred and seventy-five others, of the town of London, praying that the said town may be incorporated, and a board of police established therein. W. Robertson and 175 others.

Of James Cummings, of the town of Kingston, praying remuneration for injuries received by him, while working as a labourer on the Kingston and Napanee road. Jas. Cummings.

Of Archibald Stuart, and one hundred and fifty-eight others, of the township of Lancaster in the Eastern District, praying for certain alterations in the law of treason. A. Stuart and 158 others.

Of William Chisholm, Esq., and nine others, of the district of Gore, praying for the incorporation of a company to construct a mill-dam and machinery on the Sixteen mile Creek, at or near the village of Oakville. W. Chisholm and 9 others.

Of Sir Allan N. MacNab, and forty-three others, stockholders of the Great Western Rail Road Company, praying for the repeal of so much of the 9th clause of their act of incorporation, as relates to personal security. Sir A. N. MacNab and 43 others.

Of Charles Barnhart, of the township of Toronto (York,) praying remuneration for expenses incurred by him in bringing certain criminals to justice. C. Barnhart.

Of Edward Ryall, of Oro, in the Home District, praying to be reimbursed certain expenses incurred by him during the rebellion. E. Ryall.

Of Benjamin Willson, and 53 others, of the district of London praying for the improvement of Kettle Creek Harbour. B. Willson and 53 others.

Of Robert J. Turner, of the City of Toronto, praying for authority to practise as a Solicitor in Chancery. R. J. Turner.

Of James Read, and two others, commissioners for erecting a bridge over the River Thames at Chatham, for a further sum of money to complete the same. Jas. Read and 2 others.

Of Peter V. Verhoeff, of the township of Sandwich, in the Western District, praying to be naturalized. P. V. Verhoeff.

Jas. Eliot.

Of James Eliot, of Chatham, in the Western District, praying for authority to practise as a Solicitor and Attorney.

R. Baby and 55 others.

Of Raymond Baby, and fifty five others, of the town and township of Sandwich, praying that certain useless roads may be stopped up, and a new one opened.

Magistrates of Home District.

And of the Magistrates of the Home District, in General Quarter Sessions assembled, praying for authority to raise an additional sum of money by assessment, to complete the Gaol and Court House therein.

Notice of address to His Exe'y on bill to purchase Welland Canal Stock.

Mr. Merritt gives notice that he will on to-morrow, move an address to His Excellency the Governor General, to request that he will inform this House whether the Royal Assent has been obtained to the act authorizing the purchasing out the private stock held in the Welland Canal and to furnish this House with any information he may possess on that subject.

Petitions referred:
Of Magistrates of Home District to select com.

On motion of Mr. Small, seconded by Mr. Manahan,

Ordered—That the petition of the Magistrates of the Home District be referred to a select committee with power to send for persons and papers, and to report thereon by bill or otherwise; and that Messrs. Solicitor General, Gamble and Thomson, do compose said Committee.

On motion of Mr. Manahan, seconded by Mr. Small,

Of Jas. Cummings to select committee.

Ordered—That the Petition of James Cummings be referred to a select committee, to be composed of Messrs. Attorney General and Cartwright, with leave to report thereon.

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

Of E. Ryall to select committee.

Ordered—That the petition of Edward Ryall, Esquire, be referred to a select committee consisting of Messrs. Robinson, Prince and Small, with power to report thereon.

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

Of B. Willson and others to select com.

Ordered—That the Petition of Benjamin Willson and others be referred to a committee consisting of Messrs. Burwell and Moore, to report thereon.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Of Jas. Read and others to select committee.

Ordered—That the petition of James Read, Esq. be referred to a select committee to consist of Messrs. Cartwright, McCrae and Parke, with power to send for persons and papers.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Of R. J. Turner to select committee.

Ordered—That the Petition of Robert J. Turner, Gent., be referred to a select committee to consist of Messrs. Boulton, Gowan and Elliott, with power to send for persons and papers and to report thereon by bill or otherwise.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Of R. Baby and others to select committee.

Ordered—That the petition of Raymond Baby, Esq., and others be referred to a select committee to consist of Messrs. Gowan, Caldwell and Manahan, with power to send for persons and papers, and to report thereon by bill or otherwise.

Sel. com. on petition of Mayor and Corporation of Toronto, present report and bill to continue Toronto Incorporation Amendment Act.

Mr. Solicitor General, from the committee to which was referred the petition of the Mayor and Corporation of the City of Toronto, presented a report and the draft of a bill, which were received.

The report was read.

Report—(See Appendix.)

Bill read.

The bill was read the first time.

2d reading to-morrow.

Ordered—That the Toronto Incorporation amendment bill be read a second time to-morrow.

Sel. com. on petition of J. W. Dempsey present report and bill to admit him to practise.

Mr. Solicitor General, from the select committee to which was referred the petition of John W. Dempsey, presented a report and the draft of a bill which were received.

The report was read.

Report—(See Appendix.)

The bill was read the first time.

Bill read.

*Ordered—*That the bill to authorise J. W. Dempsey to practice as an attorney, be read a second time to-morrow.

2d reading to-morrow.

Mr. Morris, from the select committee to which were referred the petition of the Board of Trade of the City of Toronto, and the petition of the President and Directors of the Commercial Bank of the Midland District, presented a report and the draft of a bill, which were received.

Sel. com. on petition of Board of Trade of Toronto, and petition of President, &c. of Commercial Bank, present report and bill to increase stock of Commercial Bank.

The report was read.

Report—(See Appendix)

The bill was read the first time.

Bill read.

*Ordered—*That the bill to increase the capital stock of the Commercial Bank of the Midland District, be read a second time to-morrow.

2d reading to-morrow.

Mr. Thomson from the select committee to which was referred the election bill, reported the bill as amended.

Sel. com. on election bill report bill amended.

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

Bill read.

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

2d reading to-morrow.

Mr. Murney, from the committee to draft a bill pursuant to the resolution of this House, for levying an additional assessment on the district of Victoria, reported a draft, which was received, and read the first time.

Com. to draft bill for additional assessment in Victoria. District bring up bill.
Bill read.
2d reading to-morrow.

*Ordered—*That the bill to levy an additional assessment on the district of Victoria, be read a second time to-morrow.

Pursuant to the order of the day, the bill to continue the provisions of the Cornwall and L'Original road act, was read the second time.

Bill to continue Cornwall and L'Original road act read second time and committed.

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

Mr. McLean in the chair.

The House resumed.

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

Bill reported.

The report was received.

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

3d reading to-morrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to regulate the distribution of the district funds.

Com. of whole again on district funds regulation bill.

Mr. Murney in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to amend the act for protecting the inhabitants of this Province from foreign aggressions, was read the second time.

Bill to amend act respecting foreign aggressions read 2d time and committed.

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

Mr. Gowan in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

Bill to amend law respecting enticing soldiers to desert read 2d time and committed.	<p>The report was received, and leave granted accordingly.</p> <p>Pursuant to the order of the day, the bill to amend the law for the punishment of persons enticing soldiers to desert, was read the second time.</p> <p>The House was put into a committee of the whole on the bill.</p> <p>Mr. Prince in the chair.</p> <p>The House resumed.</p>
Progress reported—sit again to-morrow.	<p>The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.</p> <p>The report was received, and leave granted accordingly.</p>
Bill to admit English Attorneys read second time and committed.	<p>Pursuant to the order of the day, the bill for the admission of English attorneys to practice in this Province, was read the second time.</p> <p>The House was put into a committee of the whole on the bill.</p> <p>Mr. Morris in the chair.</p> <p>The House resumed.</p>
Bill reported.	<p>The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.</p> <p>The report was received.</p>
3d reading to-morrow.	<p><i>Ordered</i>—That the bill be engrossed and read a third time to-morrow.</p> <p>On motion of Mr. Thomson, seconded by Mr. Detlor,</p>
2d reading of election bill to be first item on Tuesday.	<p><i>Ordered</i>—That the second reading of the election bill be the first item on the order of the day for Tuesday next, after receiving reports, and that two hundred copies be printed forthwith for the use of members.</p>
Bill to amend public lands sale act read 2d time and committed.	<p>Pursuant to the order of the day, the bill to amend the act for the disposal of the public lands, was read the second time.</p> <p>The House was put into a committee of the whole on the bill.</p> <p>Mr. Rykert in the chair.</p> <p>Mr. Speaker resumed the chair to receive a message from His Excellency, the Governor General.</p> <p>Mr. Speaker left the chair.</p> <p>The chairman resumed the chair of committee.</p> <p>The House resumed.</p> <p>The Chairman reported that the committee had risen.</p>
Committee rises.	<p>On the question for receiving the report, the yeas and nays were taken as follows :</p>
Division on receiving report.	Y E A S .
Yeas—17.	<p>MESSRS.—<i>Aikman, Attorney General, Bockus, Burritt, Cartwright, Ferrie, Hunter, Lewis, McCrae, Merritt, Morris, Parke, Small, Solicitor General, Thorburn, Wickens, Woodruff.</i>—17.</p>
Nays—16.	N A Y S .
Carried—majority 1. Report received.	<p>MESSRS.—<i>Caldwell, Chisholm, of Glengarry, Cook, Detlor, Elliott, Malloch, Manahan, McCargar, McDonell, of Glengarry, McDonell, of Northumberland, McDonell, of Stormont, McKay, McLean, Prince, Rykert, Sherwood.</i>—16.</p>
Speaker reports messages from His Exc'y.	<p>The question was carried in the affirmative by a majority of one, and the report was received.</p> <p>Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General, several Messages and Documents.</p>

The messages were read by the Speaker as follows :--

Messages.

C. POULETT THOMSON:

In conformity with the directions of Her Majesty's Secretary of State for the Colonies, the Governor General has to call the attention of the House of Assembly to the extreme inconvenience of the practice, which has heretofore prevailed in this Province, of deferring to the close of the Session the consideration of some of the most important measures brought before the Legislature.

Message on inconvenience of deferring important business to close of session.

It appears, that, in consequence of that practice, errors of considerable magnitude have at times crept into the bills passed by the Legislative Council and Assembly, and have not been discovered until it has been too late to apply a remedy to them.

The Governor General will be happy to concur in any arrangement which the Legislative Council and House of Assembly may consider expedient to prevent the recurrence of this inconvenience during the present Session.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the population and assessment returns of the several districts of the Province for the year 1839.

Message, with Population and Assessment Returns.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the report received from the commissioners for the improvement of the navigation of the river St. Lawrence, for the year 1839, with its accompanying documents.

Message, with report of St. Lawrence Commissioners.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the report of the inspectors of the Provincial Penitentiary for the year ending the 30th of September last, with accompanying documents.

Message, with report of Inspectors Provincial Penitentiary.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

In conformity to the intention announced to the House of Assembly by the Lieutenant Governor during their last Session, the Governor General transmits herewith for their information, reports on the affairs of the University of King's College and of Upper Canada College, accompanied by returns of the revenue and expenditure of those establishments.

Message, with returns from King's and Upper Canada College.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the report of the Commissioners appointed for superintending the expenditure of the money granted during the last Session of Parliament, for the improvement of the Cayuga road; and also the reports of the commissioners appointed by an act passed in the same Session, for the improvement of the post road from Cornwall to L'Orignal.

Message, with Returns of Cayuga Road Commissioners. And Report of Cornwall and L'Orignal Road Commissioners.

Toronto, }
31st December, 1839. }

C. POULETT THOMSON:

Message, with Schedule of Government Debentures.

The Governor General transmits herewith, for the information of the House of Assembly, and in conformity with the statutes to that effect, a schedule of the Government debentures, redeemed and outstanding, issued under the authority of acts of the Provincial Legislature.

Toronto,
31st December, 1839. }

C. POULETT THOMSON:

Message, with Report of Trustees of several Macadamized Roads.

The Governor General transmits for the information of the House of Assembly, the reports received from the respective trustees of the undermentioned Macadamized Roads, for the year 1839, viz:—

YONGE STREET,
DUNDAS AND WATERLOO,
QUEENSTON AND GRIMSBY,
WESTERN DUNDAS. (TORONTO,)

AND ALSO,

THE REPORT OF THE TRUSTEES OF THE WEST GWILLIMBURY ROAD AND BRIDGE.

Toronto,
31st December, 1839. }

C. POULETT THOMSON:

Message respecting bill to issue Bills of Credit, reserved last Session.

The Governor General has to inform the House of Assembly, that the bill passed by them during their last Session, but reserved for the signification of Her Majesty's pleasure, entitled "An Act to authorize the issue of Bills of Credit," has been under the serious consideration of Her Majesty's Government.

After the most anxious deliberation, Her Majesty's Government have felt it impossible to advise Her Majesty to confirm this bill.

The issue of so large an amount of small convertible paper money as was then contemplated as a resource for sustaining the public credit, did not appear to Her Majesty's Government to be justified even by the exigency of public affairs. The effect of the measure on the currency and monetary transactions of the Province, and on the value of private property, must have been such as to counterbalance any advantage which could be obtained from this temporary relief. If the credit of the country can be made available to sustain for a time the transaction of a local treasury, in a less hazardous and objectionable form, the Governor General is authorized to accede to any plan of that nature. It is only as a temporary expedient that any resource will be requisite; and it is of great importance to the future welfare of the Province, that the scheme devised to meet the pressure of the passing day, should not be such as to preclude the early return to a more salutary course of financial operations.

Toronto,
31st December, 1839. }

C. POULETT THOMSON:

Message respecting bills for payment of claims arising from late rebellion.

In answer to the address from the House of Assembly of the 19th instant, the Governor General has to inform them, that the bill passed during the last Session of the Provincial Legislature, and reserved for the signification of Her Majesty's pleasure, entitled, "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province," has been under the consideration of Her Majesty's Government. In its present form, Her Majesty's Government have felt it impossible to advise the Queen to assent to this bill. The objection is not to the measure itself—in the propriety of which Her Majesty's Government entirely concur, but they cannot advise the Queen to assent to an act, which, if so sanctioned, would by the terms of the preamble, convey a pledge from Her Majesty that the charge of this indemnity should be ultimately borne by the British Treasury. The principle involved in this declaration appears to them of too much importance to be thus incidentally recognized, even supposing it to be right that it should be admitted at all. Neither could Her Majesty properly affirm in so solemn a manner, her acquiescence in this claim on the Revenue of Great Britain, unless it had been previously sanctioned by Parliament; a sanction which, during the last Session of the Imperial Legislature could not be obtained. If a similar bill should be passed, with the omission of the preamble, the Governor General is directed to concur at once in the enactment of it.

Toronto,
31st December, 1839. }

C. POULETT THOMSON:

The Governor General transmits, herewith, for the information of the House of Assembly, copies of the several despatches from the Secretary of State, enumerated in the annexed Schedule, containing Her Majesty's answers to addresses adopted by the House of Assembly during their last Session.

Message, with Despatches from Secretary of State.

Toronto, }
31st December, 1839. }

No.	Date.	SUBJECT.
69	27th June, 1839.	REPLY to Address praying that the Provincial Treasury may be indemnified for advances as compensation to individuals who have sustained losses in consequence of the rebellion, and of the invasion of this Province.
71	" " "	REPLY to Address praying that the surplus Post Office Revenue may be placed at the disposal of the Provincial Legislature.
93	13th August, 1839.	FURTHER REPLY on the same subject.
72	27th June, 1839.	REPLY to Address founded on report of the select committee on the State of the Province.
73	" " "	REPLY to Address praying for aid from the Imperial Treasury, towards the completion of the public works in this Province, and towards opening a navigable communication with the ocean.

Schedule of Despatches from Secretary of State.

(COPY.) No. 69.

DOWNING STREET, }
27th June, 1839. }

Sir:

I have had the honor to lay before the Queen the address from the House of Assembly of Upper Canada, praying that the advances which have been made from the Provincial Treasury as compensation to individuals who have sustained losses in consequence of the late rebellion, and of the repeated invasions of Upper Canada by American citizens, may be repaid from the Imperial Revenue.

Despatch respecting address to Her Majesty on compensation for losses consequent on the rebellion.

The Queen commands me to instruct you to express to the Assembly Her Majesty's regret that she cannot hold out any prospect that Parliament will grant the indemnity to the Provincial Treasury, proposed in this address. In undertaking the whole charge of the military defence of the Province, Parliament has subjected the revenue of this kingdom to a burthen of very great extent and pressure; and it does not appear to the Queen probable that the House of Commons would think it just towards the people of this country, to subject them to the additional charge contemplated by the House of Assembly.

I have the honor to be,

&c. &c.

(Signed) NORMANBY.

Major General,

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

(COPY.) No. 71.

DOWNING STREET, }
27th June, 1839. }

SIR:

Despatch respecting
address to Her Majesty
on Post Office Revenue.

I have had the honor to lay before the Queen the address of the Legislative Council and House of Assembly of Upper Canada, praying that the surplus revenue of the local post office may be placed at their disposal, and that the privilege of franking may be conceded to the members during the Sessions of the Legislature.

The Queen commands me to instruct you to acquaint the Council and Assembly, that Her Majesty has been pleased to refer this address to the Lords Commissioners of Her Treasury, for their opinion and report on the subject. When received, their Lordships' report will be communicated to you for the information of the Legislature.

I have the honor to be,

&c. &c.

(Signed)

NORMANBY.

Major General,

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

(COPY.) No. 93.

DOWNING STREET, }
13th August, 1839. }

SIR:

Further Despatch
respecting address to
Her Majesty on Post
Office Revenue.

With reference to my despatch on the 27th June, No. 71, in which I informed you that by the Queen's command I had referred, for the consideration of the Lords Commissioners of the Treasury, the address to Her Majesty of the Legislative Council and House of Assembly of Upper Canada, praying that the surplus revenue of the post office in the Province might be placed at their disposal, and that the privilege of franking might be conceded to the members of the Legislature during its Sessions, I have now the honor to acquaint you that their Lordships have stated their opinion to be, that, adverting to the very comprehensive alteration about to be made in the mode of carrying on the post office communication between Great Britain and the North American Provinces, it would be very unadvisable to adopt at present any new arrangement for effecting the objects contemplated by the address of the Legislature of Upper Canada.

I have at the same time to call your attention to the provision of the Imperial Statute 4 and 5 William IV, chap. 7, which formed the subject of Mr. Spring Rice's circular despatch of the 5th October, 1834, and to observe, that before sanctioning in any one Province an alteration in the existing law, Her Majesty's Government deem it essential to the satisfactory management of this important department, that the previous concurrence of the several Legislatures should be obtained to a system applicable alike to the whole.

You will have the goodness to communicate this despatch to the Council and Assembly, as forming Her Majesty's answer to their address.

I have, &c.

(Signed)

NORMANBY.

Major General,

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

(COPY.) No. 72.

DOWNING STREET, }
27th June, 1839. }Despatch respecting
address to Her Majesty
with report on State of
the Province.

I have had the honor to lay before the Queen the Address of the House of Assembly of Upper Canada, founded on the report of a select committee of that House appointed to enquire into the state of the Province.

The Queen commands me to instruct you, to acquaint the Assembly that Her Majesty has been pleased to communicate to both Houses of Parliament this address, together with the report annexed to it, Her Majesty is convinced that those documents will receive from Parliament the mature consideration which their importance so eminently demands.

I have the honor to be,

&c. &c.

(Signed)

NORMANBY.

(COPY.) No. 73.

DOWNING STREET, }
27th June, 1839. }

SIR:

I have had the honour to lay before the Queen the joint address of the Legislative Council and House of Assembly of Upper Canada, praying for aid from this country towards the completion of the public works in that Province, and towards opening a navigable communication with the ocean.

Despatch respecting address to Her Majesty, praying for aid towards completing public works

The Queen commands me to instruct you to acquaint the Council and Assembly, that Her Majesty is deeply sensible of the importance of the objects contemplated in this address, and that she has been pleased to direct it to be referred to the Lords Commissioners of Her Treasury, for their report how far the negotiation for a loan for such purposes could be recommended to Parliament, consistently with a due regard for the financial interests of the Empire at large. Their Lordships' report will be communicated to you, for the information of the two Houses of the Provincial Legislature.

I have the honor to be,

&c. &c.

(Signed)

NORMANBY.

Major General,

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

For Population and Assessment Returns,

Report of Commissioners for Improvement of St. Lawrence,

Report of Inspectors Provincial Penitentiary,

Reports of King's College and Upper Canada College,

Report of Commissioners Cayuga Road,

Report of Commissioners Cornwall and L'Orignal Road,

Schedule of Government Debentures,

Report of Commissioners Yonge Street Road,

do do Dundas and Waterloo Road,

do do Queenston and Grimsby Road,

do do Western Dundas, (Toronto), and

do do West Gwillimbury Road and Bridge—See Appendix.

Mr. Small, seconded by Mr. Manahan, moves that an humble address be presented to His Excellency the Governor General, thanking His Excellency for his several messages of this day, and that Messrs. Gowan and Thorburn be a committee to draft and report the same.

Motion for address of thanks.

Whereupon Mr. Sherwood moved the previous question, viz: "Shall the main question be now put?"

Previous question moved.

On which the House divided and the question was lost.

Question lost.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to restrain the practice of duelling.

Com. of whole again on duelling prevention bill.

Mr. Gowan in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

Division on receiving report.

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

Y E A S .

Yeas—23.

Messrs. *Burritt, Caldwell, Cartwright, Chisholm*, of *Halton*, *Chisholm* of *Glengarry*, *Cook, Elliott, Ferric, Gowan, Hunter, Lewis, Malloch, Manahan, McCargar, McDonell* of *Glengarry*, *McDonell* of *Stormont*, *McKay, McLean, Murney, Prince, Robinson, Shaver, Solicitor General*—23.

N A Y S .

Nays—14.

Messrs. *Aikman, Bockus, Boulton, Burwell, Detlor, McIntosh, Merritt, Morris, Parke, Rykert, Sherwood, Thomson, Thorburn, Wickens*—14.

Report received—majority 9.

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

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

100 copies of population returns to be printed.

Ordered—That one hundred copies of the population returns, sent down to this House, by His Excellency the Governor General, be printed for the use of Members.

Adjourned.

FRIDAY, 3d January, 1840.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

McPherson & Crane and 77 others.

By Mr. Attorney General, the petition of Messrs. McPherson & Crane, and seventy-seven others, of the town of Kingston.

A. Geddes and 4 others.

By Mr. Shade, the petition of Andrew Geddes, and four others.

W. Claus and C. A. M. Lyons.

By Mr. Rykert, the petition of Warren Claus and Catherine A. M. Lyons, of the town of Niagara.

G. B. Harrison and 35 others.

By Mr. Chisholm, of *Halton*, the petition of G. B. Harrison, and thirty-five others, of the village of Bronte and its vicinity, in the District of Gore.

E. G. O'Brien.

By Mr. Robinson, the petition of Edward G. O'Brien, Esquire, of the township of Oro, in the Home District; and the petition of Robert Ross, of the town of Barrie.

R. Ross.

R. Baby.

By Mr. Thorburn, the petition of Raymond Baby.

T. Scott and 93 others.

By Mr. Morris, the petition of Thomas Scott, and ninety-three others, of the County of Leeds.

J. Fisher and 233 others.

And by Mr. McLean, the petition of John Fisher, and two hundred and thirty-three others, of the counties of Glengarry and Stormont.

Bill to continue Cornwall and L'Orignal road act read third time and passed.
Title.

Pursuant to the order of the day, the bill to continue the provisions of the Cornwall and L'Orignal road act was read the third time and passed.

Mr. McDonell of *Stormont*, seconded by Mr. Small, moves, that the bill be entitled, "An Act to extend the time of completing the expenditure upon the Post Road between Cornwall and L'Orignal."

Bill sent to Leg. Council

Which was carried, and Messrs. McDonell, of *Stormont*, and Small, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill for the admission of English attorneys to practise in this Province, was read the third time.

Bill to admit English Attorneys to practise read third time.

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

Division on passing.

YEAS.

Messrs. *Aikman, Boulton, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Elliott, Ferrie, Gowan, Kearnes, Lewis, Manahan, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, Moore, Morris, Murney, Parke, Prince, Rykert, Shade, Shaver, Small, Thomson, Thorburn, Wickens, Woodruff*—30.

Yeas—30.

NAYS.

Messrs. *Attorney General, Cartwright, Detlor, Jarvis, Malloch, McDonell of Northumberland, McLean, Robinson, Rutlan*—9.

Nays—9.

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

Bill passed—majority 21.

Mr. Gowan, seconded by Mr. Prince, moves, that the bill be entitled, “An Act to authorise the Judges of the Court of Queen’s Bench in this Province to admit Attorneys of the Courts of Law at Westminster and Dublin, to practise as attorneys in the Courts of Law in this Province, and also to authorise the Vice Chancellor of this Province to admit Solicitors of the High Court of Chancery in England to practise as Solicitors in the Court of Chancery in this Province.”

Title.

Which was carried, and Messrs. Gowan and Prince were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.”

Bill sent to Leg. Council

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

Petitions read:

Of James Fox, J. P., and forty-two others, of the townships of Mountain and Winchester, in the Eastern District, praying aid for a road.

J. Fox and 42 others

Of N. Paulding and one hundred and thirty-nine others, of the townships of Niagara, Grantham, and Louth (Lincoln,) praying that the Lake road from Niagara to St. Catharines may not be turnpiked.

N. Paulding and 139 others.

Of Rebecca McIntee, widow, praying for a pension, her husband having died in consequence of wounds received during the last war.

Rebecca McIntee.

Of Helen Handley, of the town of Cobourg, praying for the appointment of trustees to manage the estate of her husband, who is lunatic.

Helen Handley.

Of Thomas Bailey, of the township of Huntingdon, in the district of Victoria, praying that the amount of his contract for improving a certain road may be paid him, the commissioners for paying the same having gone to the United States.

Thos. Bailey.

Of John Crysler, J. P. and one hundred and seventy others, of the county of Stormont, praying for certain alterations in the law of treason.

J. Crysler and 170 others.

And of Thomas Kells and two hundred and seventy-one others, of the township of Cavan, in the district of Newcastle, praying the same.

T. Kells and 271 others

On motion of Mr. Aikman, seconded by Mr. Kearnes,

Petitions referred:

Ordered—That the petition of John Brander and others, inhabitants of Ancaster, Dumfries, and Beverley, be referred to a select committee, consisting of Messrs. Ferrie, Chisholm of *Halton*, Parke, and Gamble, with power to send for persons and papers, and report thereon.

Of J. Brander and others to select com.

On motion of Mr. Boulton, seconded by Mr. McDonell of *Northumberland*,

Ordered—That the petition of Mrs. Helen Handley be referred to a select committee, to consist of Messrs. Cartwright and Sherwood, to report thereon by bill or otherwise.

Of Helen Handley to select committee.

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

Ordered—That the petition of Nathan Paulding, Esquire, and others, be referred to the committee to whom was referred the Petition of Charles Donaldson and others.

Of N. Paulding and others to com. on pet. of C. Donaldson and others.

On motion of Mr. Aikman, seconded by Mr. McDonell of Stormont,

Of Sir Allan N. Macnab and others to sel. com.

Ordered—That the petition of Sir Allan N. Macnab, and others, stockholders of the Great Western Rail-road, be referred to a select committee consisting of Messrs. Ferric, Burwell, Prince, and Parke, with power to send for persons and papers, and report thereon by bill or otherwise.

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

Of W. Chisholm and others to select com.

Ordered—That the petition of William Chisholm, and others, be referred to a select committee, composed of Messrs. Attorney General and Merritt, to report by bill or otherwise.

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

Of J. Fox and others to committee on roads and bridges.

Ordered—That the petition of James Fox, and others, be referred to the committee on roads and bridges.

On motion of Mr. McDonell, of Glengarry, seconded by Mr. Powell,

Of A. Stuart and others to com. on petition of R. Laing and others.

Ordered—That the petition of Archibald Stuart, and others, of the township of Lancaster, be referred to the Committee to whom was referred the petition of R. Laing, and others.

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

Of J. Crysler and others to com. on petition of R. Laing and others.

Ordered—That the petition of John Crysler, and others, be referred to the committee to whom was referred the petition of R. Laing, and others.

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

Of Rebecca McIntee to select committee.

Ordered—That the petition of Rebecca McIntee be referred to a select committee composed of Messrs. Thorburn and Boulton, with power to send for persons and papers, and to report thereon.

On motion of Mr. Murney, seconded by Manahan,

Of Thos. Bailey to select committee.

Ordered—That the petition of Thomas Bailey, be referred to a select committee composed of Messrs Morris and Manahan, with power to send for persons and papers, and report thereon.

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

Of T. Kelles and others to committee on petition of J. Covert and others.

Ordered—That the petition of Thomas Kells, and others, be referred to the same committee to whom were referred the several petitions, praying that certain persons who had been implicated in the late rebellion might be disfranchised.

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

Message of His Exc'y on King's and U. C. Colleges referred to select committee.

Ordered—That that part of the message of His Excellency the Governor General, yesterday sent down to this House, which relates to the affairs of King's College, and Upper Canada College, be referred to a select committee consisting of Messrs. Morris, Sherwood and Small, with power to send for persons and papers, and to report thereon.

Notices :

Of bill for payment of losses by rebellion.

Mr. Prince gives notice that he will, on to-morrow, move for leave to bring in a bill to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province.

Of address to His Exc'y for return of fines.

Mr. Small gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to order the several Justices of the Peace within this Province, to make returns of all fines and forfeitures by them imposed, in the discharge of their magisterial duties, upon any person or persons, with the names of such person or persons, the nature of the charge preferred against them, the purposes to which such fines and forfeitures have been applied, and to whom they have been paid over.

Of bill to separate profession of barrister and attorney.

Mr. Prince gives notice that he will, on to-morrow, move for leave to bring in a bill to separate the practice and profession of a barrister and attorney at law.

Com. to carry up address to His Exc'y on Rideau and Lachine Canals report answer.

Mr. McKay from the committee to wait on His Excellency the Governor General with the address of this House respecting the Rideau and Lachine Canals, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

GENTLEMEN :

Answer.

I will communicate to the Assembly my answer to this address by message.

Mr. Ruttan, from the Committee to wait on His Excellency, the Governor General, with the Address of this House respecting certain canal reserves in the township of Murray, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address
ou Murray Canal
Reserves report answer.

GENTLEMEN :

I will communicate an answer to the address of the House of Assembly on the subject of certain crown lands appropriated to the construction of the Murray Canal, by message.

Answer.

Mr. Boulton, from the committee to wait on His Excellency, the Governôr General, with the address of this House for information respecting "Hunters' Lodges," reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

Com. to carry up address
on "Hunters' Lodges,"
report answer.

In answer to the address of the House of Assembly, requesting His Excellency to lay before that House, (if not inconsistent with the public service,) all such information as may have been communicated to the Executive Government of this Province, or to either of the Crown Officers, touching the formation, within any district of this Province, of secret societies, commonly known by the name of "Hunters" or "Hunters' Lodges," or of the combination of bodies of men leagued together under illegal oaths, with a view to the subversion of our constitution, and the separation of this Colony from the parent State, the Governor General has to state that he has no information upon these subjects which he deems it expedient to communicate to the House. If he were possessed of such information of illegal proceedings of the character referred to as should call for interference, it would be the duty of the Executive Government to take measures for their instant repression; and from this task he would not shrink; or should the present laws be, in his opinion, inadequate for their purpose, he would not hesitate to apply to the Legislature for additional powers: but, unless the House of Assembly see reason to doubt the power or the inclination of the Executive and of the law officers of the Crown to discharge this duty, it is the opinion of the Governor General that the performance of it may most properly be left to those, whose office it is. In the opinion of the Governor General, it is most desirable to allay irritation, and to calm, instead of exciting, unnecessary alarm; and nothing can more impede the return to tranquillity, so essential to the prosperity of this Province, than any unnecessary inquiries into the past, calculated only to harrass individuals, and excite the public mind.

Answer.

Mr. Gowan, from the select committee to which was referred the petition of Ashley T. Chamberlain, informed the House that the Committee had agreed to report by bill, a draf of which he was ready to submit whenever the House would be pleased to receive the same.

Sel. com. on petition of
A. T. Chamberlain
report Chamberlain's
naturalization bill.

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

Bill read.

Ordered—That the bill to naturalize Ashley T. Chamberlain be read a second time to-morrow.

2d reading to-morrow.

Mr. Boulton, seconded by Mr. Elliott, moves that the message of His Excellency, the Governor General, of yesterday, on the subject of the late period of the Session to which the business of the country is deferred, be referred to a select committee, consisting of Messrs. Small and Gamble, to report thereon.

Motion to refer message
of HisExc'y on despatch
of business to sel. com.

In amendment—Mr. Parke, seconded by Mr. Small, moves that all after the word "moves," be expunged, and the following inserted, "that an address be presented to His Excellency the Governor General, thanking him for his several messages of yesterday, and that Messrs. Attorney General and Morris be a committee to draft and report the same."

Amendment moved for
address of thanks.

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

Division on amendment.

Y E A S .

Messrs. Aikman, Attorney General, Burritt, Burwell, Chisholm, of Glengarry, Cook, Ferric, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, McCargar, McDonell, of Glengarry, McDonell, of Northumberland, McDonell, of Stormont, McIntosh, McKay, Moore, Morris, Parke, Powell, Ruttan, Shaver, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff.—31.

Yeas—31.

N A Y S .

Nays—13. Messrs. *Bockus, Boulton, Cartwright, Chisholm*, of Halton, *Detlor, Elliott, Gamble, Gowan, McCrac, McLean, Robinson, Rykert, Shade*.—13.

Amendment carried—majority 18. The question of amendment was carried in the affirmative by a majority of eighteen.

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

Original question, as amended. *Ordered*—That an address be presented to His Excellency, the Governor General, thanking him for his several messages of yesterday, and that Messrs. Attorney General and Morris be a committee to draft and report the same.

On motion of Mr. Detlor, seconded by Mr. McDonell of *Northumberland*,

Leave of absence granted to Mr. Ruttan for twelve days.

Ordered—That Henry Ruttan, Esquire, have leave of absence for twelve days.

Motion for 500 copies of His Exc'y's answer to address on "Hunters' Lodges" to be printed.

Mr. Detlor, seconded by Mr. Thomson, moves, that five hundred copies of His Excellency the Governor General's reply to the address of this House, for information respecting "Hunters" and "Hunter's Lodges," be printed for the use of the members.

Division.

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—37. Messrs. *Attorney General, Bockus, Burwell, Caldwell, Cartwright, Chisholm* of Glengarry, *Cook, Detlor, Elliott, Gowan, Hunter, Jarvis, Lewis, Malloch, Manahan, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McKay, McLean, Morris, Murney, Parke, Robinson, Ruttan, Rykert, Shade, Shaver, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff*—37.

N A Y S .

Nays—4. Messrs. *Boulton, Burritt, Kearnes, Powell*—4.

Carried—majority 33. The question was carried in the affirmative, by a majority of thirty-three, and ordered accordingly.

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

Message, with despatches on post office, completion of public works, and expenses of the rebellion, and with return of debentures, referred to committee on finance.

Ordered—That the several messages of the Governor General, sent down to this House on yesterday, with their accompanying despatches on the respective subjects of the Post Office Revenue and franking; on aid for completion of public works; and on relieving the Province of expenses incurred by the late rebellion; as also the annual return of the government debentures, redeemed and outstanding, be referred to the standing committee on Finance.

Com. of whole again on taxing wild lands.

Pursuant to the order of the day, the House was again put into a committee of the whole on the subject of taxing wild lands.

Mr. McLean in the chair.

Mr. Speaker resumed the chair, to receive a message from His Excellency, the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put as follows :—

Resolution levying additional assessment on wild lands.

Resolved—That an additional rate of assessment of one penny in the pound, be levied on the wild and unoccupied lands in this Province, for the purpose of being expended in the making and repairing of roads and bridges within the same.

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

Division on resolution.

YEAS.

Messrs. *Boulton, Caldwell, Chisholm*, of Halton, *Chisholm*, of Glengarry, *Dellor, Elliott, Ferrie, Gowan, Jarvis, Kearnes, Lewis, Manahan, McDonell*, of Northumberland, *McIntosh, McKay, Merritt, Moore, Morris, Murney, Parke, Prince, Ruttan, Rykert, Shade, Small, Thomson, Wickens*—27.

NAYS.

Messrs. *Aikman, Attorney General, Bockus, Burritt, Burwell, Cook, Gamble, Malloch, McCargar, McDonell*, of Glengarry, *McDonell*, of Stormont, *McLean, Powell, Solicitor General, Thorburn, Woodruff*.—16.

The question was carried in the affirmative by a majority of eleven, and the resolution was adopted. Carried—majority 11.

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

Ordered—That the foregoing resolution on taxing wild lands, be referred to a select committee, consisting of Messrs. Cartwright, Sherwood, Ruttan and Thomson, with power to report by bill or otherwise. Resolution referred to select committee.

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

Ordered—That 200 copies of the report of the trustees of the Dundas and Waterloo Macadamized Road, be printed for the use of members. 200 copies of Dundas and Waterloo Road Trustees Report to be printed.

Mr. Speaker reported, that Mr. Secretary Murdoch had brought down from His Excellency the Governor General, several messages and documents. Speaker reports messages from His Exc'y.

The Messages were read by the Speaker, as follows :—

C. POULETT THOMSON:

The Governor General transmits, for the favorable consideration of the House of Assembly, several claims for compensation for losses sustained during the recent disturbances which have been presented to government since the transmission of similar claims to the House of Assembly during the last Session. Message, with schedule of claims for losses.

Toronto, }
2d January, 1840. }

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, such annual accounts of District Treasurers as have been received during the current year, as follows:— Message, with accounts of District Treasurers.

- EASTERN DISTRICT,
- BATHURST “
- MIDLAND “
- PRINCE EDWARD DISTRICT,
- HOME “
- GORE “
- NIAGARA “
- LONDON “
- TALBOT “
- WESTERN “
- OTTAWA “
- TORONTO (City.)

Toronto, }
2d January, 1840. }

C. POULETT THOMSON:

Message, with District School Reports, and Board of Education Reports.

The Governor General transmits, for the information of the House of Assembly, such reports of Trustees of District Schools as have been received during the current year, viz:—

The EASTERN,
OTTAWA,
JOHNSTOWN,
BATHURST,
PRINCE EDWARD,
NEWCASTLE,
HOME,
GORE, AND
TALBOT DISTRICTS;

And also such reports as have been received from District Boards of Education for the same period, namely:—

The EASTERN,
JOHNSTOWN,
BATHURST,
NEWCASTLE,
NIAGARA, AND
TALBOT DISTRICTS.

Toronto,
2d January, 1840. }

C. POULETT THOMSON:

Message, with Report of Commissioners on improvement of Trent.

The Governor General transmits, for the information of the House of Assembly, the report and accompanying documents, received from the commissioners for the improvement of the navigation of the River Trent, for the year 1839.

Toronto,
2d January, 1840. }

C. POULETT THOMSON:

Message, with Report of Commissioners on improvement of inland waters of District of Newcastle.

The Governor General transmits, for the information of the House of Assembly, the report of the commissioners for the improvement of the navigation of the inland waters of the District of Newcastle for the year 1839.

Toronto,
2d January, 1840. }

For *Claims for losses, &c., consequent on the recent disturbances.*

Accounts of District Treasurers,

District School Reports,

Reports of the Boards of Education,

Reports of Commissioners for improvement of Trent, and,

Report of Commissioners for improvement of inland waters of District of Newcastle.— See Appendix.

On motion of Mr. Boulton, seconded By Mr. Morris,

Ordered—That a message be sent to the Honourable the Legislative Council, requesting the leave of that Honourable House for one of its Members, the Honourable Robert B. Sullivan, to attend the Committee of the House of Assembly, to whom were referred the accounts of the Commissioner of Crown Lands.

Adjourned.

SATURDAY, 4th January, 1840.

The House met.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of James Evans and ninety-five others, of the county of Simcoe, which was laid on the table.

Petition
Of Jas. Evans and 95 others.

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

Petitions read:

Of Richard D. Chatterton and one hundred and seventeen others, of the town of Cobourg, praying for an alteration in the limits thereof.

R. D. Chatterton and 117 others.

Of Daniel Steward, of the township of Niagara, in the district of Niagara, praying that his name may be restored to the pension list.

D. Steward.

Of George T. Denison and one hundred and forty-six others, of certain townships in the Home district, praying that the prayer of a former petition of G. T. Denison and others may be granted, and that in case the same should not be granted, a sum of £3,500 be raised to plank the road between the Peacock inn on Dundas Street and the bridge at the village of Weston.

G. T. Denison and 146 others.

Of George Babcock, of the town of Brantford, praying to be naturalized.

G. Babcock.

And of S. Washburn and twenty-six others, of the district of Prince Edward, praying for the establishment of a bank in said district, with a capital of £50,000.

S. Washburn and 26 others.

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

Ordered—That the petition of Daniel Steward be referred to the committee of supply, to whom was referred the petition of John Campbell.

Petitions referred:
Of D. Steward, to committee of supply.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Ordered—That that the several petitions of P. V. Verhoeff and George Babcock be referred to a select committee, to consist of Messrs. Chisholm of *Hallon*, Dunlop, and McCrae, to report thereon by bill or otherwise.

Of P. V. Verhoeff, and of Geo. Babcock, to select committee.

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

Ordered—That the petition of S. Washburn Esq., and others be referred to a select committee, composed of Messrs. Rykert and Detlor, with power to report by bill or otherwise.

Of S. Washburn and others to select com.

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

Ordered—That the petition of R. D. Chatterton and others be referred to a select committee, to consist of Messrs. McDonell of *Northumberland* and Sherwood, to report thereon by bill or otherwise.

Of R. D. Chatterton and others to sel. com.

Mr. Prince gives notice that he will, on Monday next, move that this house do resolve itself into a committee of the whole on supply, to grant a sum of money sufficient for indemnifying from loss all sufferers by the late rebellion and invasions of this Province.

Notices:
Of committee of supply on indemnifying sufferers by the rebellion.

Mr. Thorburn gives notice that he will, on Monday next, move that an humble address be presented to His Excellency, the Governor General, requesting His Excellency to cause to be made to this House a return of all monies paid into the hands of the Receiver General of the Province, as fines imposed on persons travelling with sleighs on any road, highway, or beaten track, for not having two or more bells affixed to the harness, as required by the 52 Geo. III., chap. 4, and 3d clause, and made permanent by the 59 Geo. III., chap. 1, together with the names of the individuals fined, and the place and the name, or names of the justices by whom the fines were imposed.

Of address to His Exc'y for return of fines for driving sleighs without bells.

Mr. Morris gives notice that he will, on Monday next, move that the committee to whom was referred the several petitions praying that candidates and electors may be required to take certain oaths, be discharged.

Of motion to discharge committee on petitions respecting certain oaths.

Sel. com. on that part of Journals relating to York bridge, report York bridge bill.

Mr. Rykert, from the select committee to which was referred that part of the journals of last Session which relates to the building a bridge over the Grand River at York, on the petition of Warner Nellis, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

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

2d reading Monday.

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

Com. on petition of R. Baby and others, report Sandwich road bill.

Mr. Prince, from the select committee to which was referred the petition of Raymond Baby and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be ready to receive the same.

Bill read.

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

2d reading Monday.

Ordered—That the bill to open a road near the town of Sandwich be read a second time on Monday next.

Motion to rescind order for printing population returns as regards township of Thurlow.

Mr. Sherwood, seconded by Mr. Boulton, moves that the order of this House for printing the population returns be rescinded, so far as regards the return from the township of Thurlow in the Midland District, and that the said return be referred to a select committee, consisting of Messrs. Thomson and Gamble, with power to send for persons, and to report thereon.

Amendment moved.

In amendment—Mr. Dettlor, seconded by Mr. Manahan, moves, that all after "moves," in the original resolution, be expunged, and the following be adopted; that so much of the population return, from the township of Thurlow, as relates to the last six denominations, be not printed, and be expunged from the journals of this House.

Division on amendment.

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

Y E A S.

Yeas—6.

Messrs. Bockus, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Manahan—6.

N A Y S.

Nays—30.

Messrs. Aikman, Burritt, Boulton, Burwell, Ferrie, Gamble, Gowan, Kearnes, Lewis, Malloch, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, Morris, Murney, Parke, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Thomson, Thorburn, Woodruff—30.

Amendment lost—majority 24.

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

Division on original question.

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

Y E A S.

Yeas—29.

Messrs. Aikman, Boulton, Burritt, Caldwell, Ferrie, Gamble, Gowan, Kearnes, Lewis, Malloch, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, Morris, Murney, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Thomson, Thorburn, Woodruff—29.

N A Y S.

Nays.—8

Messrs. Bockus, Burwell, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Manahan, Parke—8.

Carried—majority 21.

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

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

Order for printing population returns rescinded.

Ordered—That the order of this House for printing the population returns be rescinded, and that the returns be referred to a select committee, with power to send for persons and papers, and that Messrs. Gamble, Sherwood, and Murney, do compose the same.

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

Com. of whole again on registry bill.

Mr. Detlor in the chair.

The House resumed.

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

Progress reported—sit again Monday next.

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Shade, seconded by Mr. Gowan, moves, that an humble address be presented to His Excellency, the Governor General, praying that he will cause such information to be laid before this House as can be procured regarding certain gold and silver medals, which were sent out to this country to be distributed among the militia who defended it during the late war, and which medals are said now to be deposited in the Bank of Upper Canada, and that Messrs. McKay and Rykert be a committee to draft and report the same.

Address to His Exc'y respecting certain medals, ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Shade, seconded by Mr. Gowan, moves, that an humble address be presented to His Excellency, the Governor General, praying that he will cause a return to be made by the Clerk of the Crown, and laid before this House, of all suits commenced by the Canada Company within the last twelve months, and that Messrs. McKay and Rykert be a committee to draft and report the same.

Motion for address to His Exc'y for return of suits against Canada Company.

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

Division.

Y E A S .

Messrs. *Aikman, Caldwell, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Detlor, Gowan, McDonell* of Northumberland, *McIntosh, Morris, Rykert, Shade, Shaver, Sherwood, Thomson*—15.

Yeas—15.

N A Y S .

Messrs. *Bockus, Boulton, Burritt, Burwell, Cartwright, Duncombe, Elliott, Ferrie, Gamble, Hunter, Kearnes, Lewis, Malloch, Manahan, McCargar, McCrae, McDonell* of Glengarry, *McDonell* of Stormont, *McKay, Murney, Powell, Robinson, Small, Thorburn, Woodruff*—25.

Nays—25.

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

Question lost—majority 10.

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

Ordered—That the report of the commissioners for the improvement of the navigation of the river St. Lawrence, with the documents accompanying the same, be referred to a select committee, with power to send for papers and persons, and report thereon, and that Messrs. Merritt, McKay, Gowan, Small, and Thomson, do compose the said committee.

Report of Commissioners of St. Lawrence, referred to sel. com.

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

Ordered—That the several reports of the commissioners of the Macadamized roads within this Province be referred to a select committee, to consist of Messrs. Cartwright, Morris, Shade, and Solicitor General, with power to send for persons and papers, and to report thereon by bill or otherwise.

Reports of Commissioners on Macadamized roads referred to select committee.

Pursuant to the order of the day, the House was again put into a Committee of supply on the petition of John Campbell.

Com. of supply again on pet. of J. Campbell.

Mr. Boulton in the chair.

The House resumed.

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

Progress reported—sit again on Monday.

The report was received, and leave granted accordingly.

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

Ordered—That the committee of supply on the petitions of J. Campbell and Daniel Steward be discharged, and that the said petitions be referred to a select committee,

Petitions of J. Campbell and D. Steward discharged from com. of supply and referred to select committee.

composed of Messrs. Attorney General, Bockus, Thorburn, and Thomson, with power to send for persons and papers, and to report thereon.

Com. of supply again on report on petition of Dr. Dormer.

Pursuant to the order of the day, the House was again put into a committee of supply on the Report of the select committee, on petition of Dr. Dormer.

Mr. Robinson in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report.

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

Y E A S .

Yeas—20.

Messrs. *Aikman, Bockus, Boulton, Burritt, Burwell, Cartwright, Cook, Detlor, Elliott, Gamble, Hunter, Jarvis, Malloch, McCargar, McIntosh, Merritt, Morris, Robinson, Shade, Thomson*—20.

N A Y S .

Nays—14.

Messrs. *Chisholm* of Glengarry, *Duncombe, Kearnes, Manahan, McDonell* of Glengarry, *McDonell*, of Northumberland, *McDonell* of Stormont, *McKay, Murney, Parke, Ruttan, Sherwood, Thorburn, Woodruff*—14.

Carried—majority 6.

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

On motion of Mr. Thorburn, seconded by Malloch,

Address of thanks ordered.

Ordered—That an humble address be presented to His Excellency the Governor General, thanking His Excellency for his several messages of yesterday, and that Messrs. Boulton and Thomson be a committee to draft and report the same.

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

Report on improvement of Trent, and report on Newcastle District waters referred to select committee.

Ordered—That the reports of the commissioners for the improvement of the inland waters of the Newcastle District, and of the River Trent, be referred to a select committee with power to send for persons and papers, and that Messrs. Bockus, Thorburn, Gamble, Merritt, and Ruttan, do compose the said committee.

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

Welland Canal report and accounts referred to select committee.

Ordered—That the report of the President and Directors of the Welland Canal Company, and accounts accompanying the same, be referred to Messrs. Rykert, Thorburn, McKay, and Bockus.

Com. of whole again on report on petition of H. Smith.

Pursuant to the order of the day, the House was again put into a committee of the whole on the report on petition of Henry Smith.

Mr. Hunter in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report.

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

Y E A S .

Yeas—23.

Messrs. *Aikman, Bockus, Burritt, Burwell, Caldwell, Cartwright, Chisholm*, of Halton, *Cook, DeNor, Duncombe, Ferric, Gamble, Hunter, Lewis, Malloch, McCargar, McIntosh, McKay, McLean, Merritt, Morris, Murney, Robinson, Rykert, Shaver, Sherwood, Solicitor General, Thomson*—23.

N A Y S .

Nays—9.

Messrs. *Kearnes, Manahan, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *Parke, Ruttan, Thorburn, Woodruff*—9.

The question was carried in the affirmative, by a majority of nineteen and the report was received. Carried—majority 19.

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

Ordered—That his motion for an address to Her Majesty on the subject of the Union of the Provinces, be the first item on the order of the day for Monday, after receiving reports. Mr. Cartwright's motion for address to Her Majesty on union to be first item on Monday.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint Commissioners to investigate the Public Accounts. Com. of whole again on public accounts commissioners' bill.

Mr. Caldwell in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Adjourned.

MONDAY, 6th January, 1840.

The House met.

The minutes of yesterday were read.

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

By Mr. Rykert, the petition of T. Butler, and one hundred and one others, of the town of Niagara, and its vicinity; and the petition of George Adams, and forty-six others, of the village of St. Catharines and its vicinity. Of T. Butler and 101 others.
Of G. Adams and 46 others.

By Mr. McCrae, the petition of Susannah Kerry. Of Susannah Kerry.

By Mr. McLean, the petition of Duncan McDonell, Greenfield, J. P., and one hundred and four others, of the Eastern District. Of Duncan McDonell and 104 others.

And by Mr. Sherwood, the petition of George Saunders, and three hundred and seventy-two others, of the townships of Whitby and Pickering in the Home District. Of G. Saunders and 372 others.

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

Of Messrs. McPherson & Crane, and seventy-seven others, of the town of Kingston, praying that the capital stock of the Commercial Bank of the Midland District, may be increased to £500,000. McPherson & Crane and 77 others.

Of Andrew Geddes, and four others, praying for a grant of £44 to defray the expence of completing the bridge over the Grand River at the falls of Elora. A. Geddes and 4 others.

Of Warren Claus and Catherine A. M. Lyons, of the town of Niagara, praying for the confirmation of a grant of land made to their father, the late Hon. Col. Claus, by the Indians on the Grand River. W. Claus and Catharine A. M. Lyons.

Of J. B. Harrison, and thirty-five others, of the village of Bronte and its vicinity, in the District of Gore, praying for the incorporation of a company, to construct a harbor at the mouth of the twelve mile Creek, at Bronte. J. B. Harrison and 35 others.

Of Edward G. O'Brien, Esquire, of the township of Oro in the Home District, praying the House to direct its serious attention to the subject of emigration from the British Isles. E. G. O'Brien, Esq.

Of Robert Ross, of the town of Barrie, praying that a more equitable valuation may be placed upon store houses, that the tax paid thereon may be according to the amount realized therefrom. R. Ross.

- R. Baby. Of Raymond Baby, praying that a deficiency in his salary as second clerk in the Inspector General's Office, for the year 1835, may be made good to him.
- T. Scott and 93 others. Of Thomas Scott, and ninety-three others, of the county of Leeds, praying for a revision of the election laws.
- J. Fisher and 233 others. And of John Fisher, and 233 others, of the counties of Glengarry and Stormont, praying aid for a certain road.
- Petitions referred:*
 Of T. Scott and others, to select committee on election bill. On motion of Mr. Morris, seconded by Mr. Malloch,
Ordered—That the petition of Thomas Scott, and others, be referred to the select committee to whom was referred the Election Bill.
- Of R. Ross to sel. com. On motion of Mr. Robinson, seconded by Mr. Bockus,
Ordered—That the petition of Robert Ross, be referred to a select committee consisting of Messrs. Gamble and Wickens, to report thereon by bill or otherwise.
- Of E. O'Brien, to sel. com. on emigration. On motion of Mr. Robinson, seconded by Mr. Wickens,
Ordered—That the petition of E. G. O'Brien, be referred to the committee on Emigration.
- Of W. Claus and C. A. M. Lyons, to sel. com. On motion of Mr. Rykert, seconded by Mr. Caldwell,
Ordered—That the petition of Warren Claus, Esquire, and Catharine Lyons, be referred to a select committee composed of Messrs. Prince, Sherwood, Thorburn, and McDonell, of Glengarry, with power to send for persons and papers and to report thereon.
- Of R. Baby to sel. com. On motion of Mr. Thorburn, seconded by Mr. Shaver,
Ordered—That the petition of Raymond Baby, Esquire, be referred to a select committee, consisting of Messrs. Prince and Caldwell, with power to send for persons and papers and to report thereon.
- Notices:*
 Of bill to amend Trent Navigation act. Mr. Shaver gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend the River Trent navigation act.
- Of bill to support disabled and infirm persons. Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to enable the inhabitants in the different townships within this Province, to raise a sufficient sum annually, to support disabled and infirm persons.
- Of bill to amend militia act. Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the militia act passed the last Session.
- Of address to His Exc'y on bill to grant land to Col FitzGibbon. Mr. Burwell gives notice that he will, on to-morrow, move that this House do address His Excellency the Governor General, praying that His Excellency will be pleased to inform this House, if Her Majesty's assent has been given to the bill passed last Session, entitled "An Act to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire."
- Of bill to amend act regulating curing of beef and pork. Mr. Powell gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend an act passed in the 45th of George the Third, entitled "An Act to regulate the curing, packing, and inspection of Beef and Pork."
- Of motion to reject printed petitions. Mr. Thorburn gives notice that he will, on to-morrow, move that inasmuch as it is contrary to the rules and usages of the Imperial Parliament to receive printed petitions, and as the 47th rule of this House provides that in all unprovided cases resort shall be had to the rules, and usages, and forms, of the Parliament of Great Britain and Ireland, "That any printed Petitions now on the table of this House, the honourable members who introduced such petitions have leave to withdraw the same, they being inadmissible.
- Sel. com. on petition of President, &c. Montreal Bank, report Lower Canada Bank agency bill. Mr. Bockus, from the select committee to which was referred the petition of the President, Directors, and Company of the Montreal Bank, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.
- Bill read. The report was received, and the bill to authorize the Chartered Banks of Lower Canada to transact business in this Province was read the first time.
- On question for second reading to-morrow. On the question for the second reading of the bill to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Thomson, moves that the bill be not read a second time to-morrow, but that it be referred to the committee on banking, with power to report thereon. Amendment moved, to refer bill to committee on banking.

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

YEAS.

Messrs. *Burritt, Cartwright, Chisholm*, of Glengarry, *Jarvis, Sherwood, Small, Thomson*, *Woodruff*—8. Yeas—8.

NAYS.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burwell, Caldwell, Chisholm*, of Halton, *Cook, Dettlor, Duncombe, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, McCargar, McCrae, McDonell*, of Northumberland, *McDonell*, of Stormont, *McIntosh, McKay, McLean, Merritt, Moore, Morris, Murney, Parke, Powell, Shade, Shaver, Thorburn*,—34. Nays—34.

The question of amendment was decided in the negative by a majority of twenty-six, and the bill was ordered for a second reading to-morrow. Amendment lost—majority 25.

Mr. Murney, from the select committee to which was referred the petition of Thomas Bailey, presented a report, which was received and read as follows :— Sel. com. on petition of Thos. Bailey present report.

To the Honorable the Commons House of Assembly:

The Committee, to whom was referred the petition of Thomas Bailey, beg leave to report, that they have taken the said petition into consideration, and from the certificate attached to it, would humbly recommend his claim to the favorable consideration of the House, and that the petitioner should receive the amount he claims. Report.

EDMUND MURNEY,
Chairman.

Committee Room, House of Assembly, }
Sixth day of January, 1839. }

Mr. Morris, from the committee to draft an address to His Excellency the Governor General, thanking him for his messages of the second instant, reported a draft, which was received and read the first time. Address of thanks reported and read first time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Morris, seconded by Mr. Bockus moves, that the address be not read a second time on to-morrow, but that it be read a second time this day.

Which was carried, and the address was read the second time and concurred in. Address read 2d time and concurred in.

On the the question for the third reading of the address to-morrow,

In amendment—Mr. Morris, seconded by Mr. Bockus, moves that the address be not read a third time on to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed, and read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the House was put into a committee of the whole on Mr. Cartwright's notice for an address to Her Majesty relative to the Union of the Canadas. Committee of whole on addressing Her Majesty on union.

Mr. Jarvis in the chair.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

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

Address to Her Majesty on union referred to select committee.

Ordered—That the address to Her Majesty on the Union, be referred to a select committee composed of Messrs. Solicitor General, Sherwood, McKay and Merritt, with leave to report thereon.

Speaker reports messages from His Exc'y.

Mr. Speaker reported, that Mr. Secretary Murdoch had brought down from His Excellency the Governor General, two messages, with documents.

The Messages were read by the Speaker, as follows:—

C. POULETT THOMSON:

Message on distribution of Clergy Reserves.

Pursuant to his notice the Governor General now begs to call the attention of the House of Assembly to the state of the Clergy Reserves.

As will appear from his message to the House of Assembly, of the 23d ultimo, Her Majesty was compelled to withhold Her Royal Assent from a bill passed last session, for reinvesting the Clergy Reserves conditionally in the Imperial Legislature, and Her Majesty's Government were desirous that the Provincial Legislature should itself afford a solution of this much debated and very complicated question.

The Governor General does not conceal from himself the difficulties by which this subject is surrounded. The frequent agitation of it in both Houses—the various opinions which have been announced upon it—and the different schemes which have unsuccessfully been brought forward, render the settlement of it, even in this Province, a work of great embarrassment; but it becomes yet more difficult to arrive at a final solution from the peculiar position in which the question stands as contra-distinguished from other subjects which may engage the attention of the Legislature,—since, not merely is the assent of the Crown required to whatever may be ultimately determined upon here, but the decision of the Provincial Parliament is open to rejection, by address from either House of Parliament in England.

Still, in the opinion of the Governor-General, the circumstances of the present time imperiously demand a settlement of this long-agitated question. The probable approach of the Union of the two Provinces would at once suggest the expediency of bringing to a termination, before that event shall occur, a matter so peculiarly affecting Upper Canada, nor is it less necessary, with a view to remove a source of unceasing excitement and discord within the Province, the protracted existence of which opposes a bar to that tranquillity so necessary for its prosperity.

Deeply impressed with these feelings the Governor-General has given to the subject all the attention in his power, and he has directed a measure to be prepared, to which he earnestly invites the consideration of the House of Assembly, in the anxious hope that it may lead to a final and satisfactory adjustment.

He proposes that the remainder of the the land should be sold, and the annual proceeds of the whole fund, when realized, be distributed according to terms which will be clearly defined, between the Church of England, the Church of Scotland and such other religious persuasions as are recognized by the law of Upper Canada, for the support of religious instruction within the Province, and for the promotion, there, of the great and sacred objects for which these different bodies are established or associated.

He trusts that there will be found, in such a plan, a just regard to the objects for which this property was destined, tempered by a due consideration of the state of society and of the feelings which have grown up in this Province and in the Legislature upon the question; and he confidently recommends it for adoption, as the measure which, in his opinion, will afford the surest prospect, if assented to by the Legislature here, of proving final, and, if final, of conducing to the peace and happiness of the inhabitants of this Province generally.

Toronto, }
6th January, 1840. }

C. POULETT THOMSON:

Message, with report of commissioners on Toronto Hospital.

The Governor General transmits, for the information of the House of Assembly, the report made by the Commissioners appointed in the month of June last, for the purpose of enquiring into and reporting upon the affairs of the General Hospital in this city.

Toronto, }
6th January, 1840. }

For Report of Commissioners on General Hospital at Toronto.—See Appendix.

Mr. Solicitor General, seconded by Mr. Chisholm of *Hallon*, moves for leave to bring in a bill for the disposal of the Clergy Reserves, and for the distribution of the proceeds thereof, and that the forty-first rule of this House be dispensed with, as far as regards this motion.

Clergy Reserves bill brought in.

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

Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Solicitor General, seconded by Mr. Malloch, moves that the bill for the sale of the Clergy Reserves be read a second time on Thursday next, and that it be the first item on the order of the day, after receiving reports; and that the message of His Excellency the Governor General respecting the Clergy Reserves be referred to the committee of the whole on this bill.

Second reading of bill to be first item on Thursday.

Message on Clergy Reserves referred to com. of whole on Clergy Reserves bill.

Which was carried and ordered.

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

Ordered—That five hundred copies of the message of His Excellency respecting the Clergy Reserves, also of the bill for the disposal thereof, be printed for the use of the members.

500 copies of Message on Clergy Reserves to be printed.

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

Ordered—That an humble address be presented to His Excellency the Governor General, thanking him for his several messages of this day; and that Messrs. Thorburn and Ruttan, be a committee to draft and report the same.

Address of thanks ordered.

On motion of Mr. Shade, seconded by Mr. McCrae,

Ordered—That an humble address be presented to His Excellency the Governor General, requesting that His Excellency will be pleased to lay before this House, with as little delay as possible, a statement of the returns made by the Canada Company, of lands settled by said Company in the Huron Tract, during the twelve months ending on the first day of January, 1840, together with a statement of the sums of money expended (if any) either by the Company, with the sanction of the Governor, or by the Government according to the spirit, intention, and meaning of the 30th article of the agreement between Her Majesty's Government and the said company, with the names of the settlers placed on said lands in said Huron Tract during the time above stated; and that Messrs. Rykert and McKay be a committee to draft and report the same, and that the 31st rule of this House be dispensed with so far as relates to the same.

Address to His Exc'y. for return from Canada Company ordered.

Pursuant to notice, Mr. Merritt, seconded by Mr. McKay, moves, that an address be presented to His Excellency, the Governor General, requesting that he will be pleased to inform this House whether the Royal assent has been given to the bill passed both branches of the Legislature during the last Session, authorising the purchase by Government of the shares held by private individuals in the Welland Canal Company; and that Messrs. Rykert and Chisholm of *Hallon* be a committee to draft and report the said address.

Address to his Exc'y on bill to purchase Welland Canal stock—ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Boulton, moves, that an humble address be presented to His Excellency, the Governor General, requesting His Excellency to inform this House whether any answer has been received from Her Majesty's Government upon the subject of the joint address of the Legislative Council and this House, on the subject of certain Chelsea pensioners, and if any answer has been received, that His Excellency will cause the same to be transmitted for the information of this House; and that Messrs. Thomson and Burwell be a committee to draft and report the same.

Address to his Exc'y on Joint Address on Chelsea Pensioners—ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Detlor, moves, that part of the journals in reference to the petition of C. Leggo, be now read.

Journals read on rep. on pet. of C. Leggo.

Which was carried, and the journals were read accordingly.

(Printed Journal.—Report on petition of C. Leggo.)

Motion to adopt the report.

Mr. Sherwood, seconded by Mr. Rykert, moves, that the report of the committee on claims upon the petition of C. Leggo be adopted.

Division.

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

Y E A S .

Yeas 27.

Messrs. *Aikman, Bockus, Burritt, Caldwell, Chisholm*, of Halton, *Chisholm*, of Glengarry, *Cook, Deltor, Duncombe, Jarvis, McCargar, McDonell*, of Glengarry, *McDonell*, of Northumberland, *McDonell*, of Stormont, *McLean, Merritt, Moore, Morris, Robinson, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—27.

N A Y S .

Nays 3.

Messrs. *Boulton, Burwell, Gowan, Kearnes, Lewis, Malloch, Manahan, Small*—8.

Carried—majority 19.

The question was carried in the affirmative by a majority of nineteen, and the report was adopted.

Motion for Address to Her Majesty on claims of C. Leggo.

Mr. Sherwood, seconded by Mr. Rykert, moves that an humble address be presented to Her Majesty, in pursuance of the report of the committee on the petition of C. Leggo; and that Messrs. Morris and McCargar be a committee to draft and report the same.

Division.

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

Y E A S .

Yeas—23.

Messrs. *Aikman, Bockus, Burritt, Caldwell, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Deltor, McCargar, McDonell* of Glengarry, *McDonell* of Stormont, *McKay, McLean, Morris, Parke, Prince, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn*—23.

N A Y S .

Nays—6.

Messrs. *Burwell, Gowan, Kearnes, Lewis, Malloch, Manahan*—6.

Carried—majority 17.

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

Adjourned.

TUESDAY, 7th January, 1840.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

B. B. Ronney and 144 others.

By Mr. Boulton, the petition of B. B. Ronney, J. P., and one hundred and forty-four others, of the township of Seymour, in the district of Newcastle; and the petition of Thomas S. Kennedy, and one hundred and two others.

T. S. Kennedy and 102 others.

C. P. Treadwell, Esq.

By Mr. Hotham, the petition of Charles P. Treadwell, Esq., Sheriff of the district of Ottawa.

H. E. Nicolls.

And by Mr. Prince, the petition of Henry Edgcombe Nicolls, late a Lieutenant in the Provincial Marine.

Pursuant to the order of the day, the address to His Excellency the Governor General, thanking him for his messages of the second instant, was read the third time and passed, and is as follows :—

Address of thanks read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your messages of the second instant.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Seventh day of January 1840. }

Messrs. Morris and Chisholm of *Halton*, were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the petition of James Evans, and ninety-five others, of the county of Simcoe, praying for certain alterations in the law of Treason, was read.

Petition of J. Evans. & 95 others, read.

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

Petitions referred :

Ordered—That the petition of J. B. Harrison, and others, be referred to a committee, and that Messrs. Merritt and Ferrie compose the same, with power to report by bill or otherwise.

Of G. B. Harrison and others, to sel. com.

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

Ordered—That the petition of Ebenezer Perry, and others, be referred to a select committee, to consist of Messrs. McDonell, of *Northumberland*, and Thorburn, to report thereon by bill or otherwise.

Of E. Perry and 30 others, to sel. com.

On motion of Mr. Small, seconded by Mr. Manahan,

Ordered—That the petition of George T. Denison, and others be referred to a select committee to report thereon by bill or otherwise, and that Messrs. Solicitor General and McIntosh do compose said committee.

Of G. T. Denison, and others, to sel. com.

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

Ordered—That the petition of John Fisher, and others, be referred to the committee on roads and bridges.

Of J. Fisher, and others, to committee on roads and bridges.

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

Ordered—That the petition of Daniel Lizars, and others, be referred to a select committee to be composed of Messrs. Sherwood, Solicitor General, Rykert, and Ferrie, to report thereon.

Of D. Lizars, & others, to select committee.

On motion of Mr. Murney, seconded by Mr. Manahan,

Ordered—That the report of the select committee upon the petition of Thomas Bailey be referred to a committee of the whole on supply on to-morrow.

Report of sel. com. on petition of T. Bailey, referred to supply.

Mr. Hotham gives notice that he will, on to-morrow, move for leave to bring in a bill to protect the purchasers of Lands sold at Sheriffs' sales for arrears of taxes.

Notice of bill to protect purchasers of land at Sheriff's sales.

Address to his Exc'y. on Welland Canal stock purchase bill reported & read first time.

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General, for information respecting the bill for purchasing the private stock in the Welland Canal, reserved last session, reported a draft which was received and read the first time.

2nd reading to-morrow.

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

Select com. on plaintiff's security bill pres't report

Mr. Murney, from the select committee to which was referred the bill to require plaintiffs to give security for costs, presented a report, which was received and read as follows :

To the Honourable the Commons House of Assembly.

Report.

The select committee to whom was referred the Plaintiff's Security Bill, beg leave to report, that they would, instead of the bill referred to them, recommend to your Honourable House, the following for adoption:—

“That it is deemed expedient to alter and amend an act, entitled ‘An Act to mitigate the Law in respect to Imprisonment for Debt,’ be it enacted that the second clause of said recited act be “and is hereby repealed.”

All of which is respectfully submitted.

EDMUND MURNEY,

CHAIRMAN.

Committee Room,
7th January, 1840. }

Sel. com. on petition of R. J. Turner report bill to admit him to practise

Mr. Prince, from the select committee to which was referred the petition of R. J. Turner, informed the House, that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

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

2nd reading to-morrow.

Ordered—That the bill to admit R. J. Turner as a Solicitor in Chancery, be read a second time to-morrow.

Address to His Exc'y. respect'g certain medals reported and read first time.

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General, respecting certain medals sent out for distribution, reported a draft, which was received and read the first time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Shade, seconded by Mr. Rykert, moves, that the address be not read a second time to-morrow, but that it be read a second time to-day.

Address read second time and committed.

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

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

Mr. Shaver in the chair.

The House resumed.

Address reported, amended.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

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

Address to His Exc'y. for returns from Canada Company, reported and read first time.

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General, for certain returns from the Canada Company, reported a draft, which was received and read the first time.

Address read first time.

On the question for the second reading of the address to-morrow,

Address read second time and concurred in.

In amendment—Mr. Shade, seconded by Mr. Rykert, moves that the address to His Excellency be not read a second time to-morrow, but that it be read a second time this day.

Which was carried, and the address was read the second time. Address read 2d time and concurred in.

The House was put into committee of the whole on the same.

Mr. Murney in the chair.

The House resumed.

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

The report was received.

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

Mr. Boulton, from the select committee, to whom was referred the petition of E. Perry and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same. Sel. com. on petition of E. Perry and 30 others, report bill to amend Cobourg Rail Road Act.

The report was received, and the bill was read the first time. Bill read.

Ordered—That the bill to amend the Act Incorporating the Cobourg Rail Road Company, be read a second time to-morrow. 2d reading to-morrow.

Mr. Thorburn, from the select committee on contingencies, reported the draft of a bill. Com. on contingencies report bill to cover the contingencies of last session. Bill read.

The report was received, and the bill to cover the contingencies of last Session was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Thorburn, seconded by Mr. Attorney General, moves that the bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with for that purpose.

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

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

Mr. Bockus in the chair.

The House resumed.

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

The report was received.

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

Pursuant to notice, Mr. Thorburn, seconded by Mr. Woodruff, moves that an humble address be presented to His Excellency the Governor General, requesting His Excellency to cause to be prepared, a return of all moneys paid into the hands of the Receiver General of the Province, as fines imposed on persons travelling with sleighs on any road, highway, or beaten track, for not having two or more bells affixed to the harness, in compliance with the Act of 52d Geo. III, chapter 4, section 3, made permanent by the 59th Geo. III, 2d session, chapter 17, together with the names of the individuals fined, and the place, and the name or names of the Justices by whom the fines were imposed, with the names of the persons upon whose complaints the fines were imposed. Address to His Exc'y for return of fines for driving sleighs without bells, ordered.

Which was carried and ordered.

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

Ordered—That the report of the commissioners appointed to investigate the affairs of the Toronto General Hospital and its endowment, be referred to a select committee, composed of Messrs. Solicitor General, Sherwood, and Ferrie, with power to send for persons and papers, and to report thereon. Report of Commissioners Toronto Hospital referred to select com.

Pursuant to the order of the day, the Election bill was read the second time. Election bill read second time and committed.

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

Mr. Cook in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

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

Election bill first item to-morrow.

Ordered—That the Election bill be the first item on the order of the day for to-morrow, after receiving reports.

Motion for address to His Exc'y for copy of Lord Glenelg and Sir F. Head's despatches.

Pursuant to notice, Mr. Thorburn, seconded by Mr. Woodruff, moves, that an humble address be presented to His Excellency the Governor General, requesting His Excellency to procure, to be placed in the library of the Provincial Legislature, a printed copy of the Despatches of Lord Glenelg and Sir Francis B. Head, Bart., as printed by order of the House of Commons on the 22d March last; and that Messrs. Parke and Small, be a committee to draft, report, and present the same.

Amendment moved.

In amendment—Mr. Burwell, seconded by Mr. Boulton, moves, that the following be added to the original motion, "and also a printed copy of the third edition of Sir Francis Head's Narrative."

Division on amendment

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

YEAS.

Yeas—7.

Messrs. *Boulton, Burwell, Caldwell, Cartwright, Jarvis, McCrae, Shade*—7.

NAYS.

Nays—31.

Messrs. *Aikman, Attorney General, Burritt, Chisholm, of Glengarry, Cook, Dellar, Duncombe, Ferrie, Hotham, Hunter, Kearnes, Malloch, Manahan, McCargar, McDonell of Glengarry, McDonell, of Northumberland, McDonell, of Stormont, McIntosh, McKay, McLean, Merritt, Murney, Parke, Powell, Rykert, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—31.

Amendment lost—majority 24.

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

Division on original question.

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

YEAS.

Yeas—20.

Messrs. *Aikman, Burritt, Chisholm, of Glengarry, Cook, Duncombe, Ferrie, Gowan, Manahan, McCargar, McDonell, of Glengarry, McDonell, of Stormont, McIntosh, McKay, Merritt, Parke, Rykert, Shaver, Thomson, Thorburn, Woodruff*—20.

NAYS.

Nays—20.

Messrs. *Attorney General, Boulton, Burwell, Caldwell, Cartwright, Dellar, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, McCrae, McDonell, of Northumberland, McLean, Murney, Powell, Shade, Sherwood, Solicitor General*—20.

Lost, by casting vote of Speaker.

The question was decided in the negative, by the casting vote of the Speaker.

Sandwich road bill read 2d time and committed.

Pursuant to the order of the day, the bill to open a road, near the town of Sandwich, was read the second time.

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

Mr. Robinson in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading to-morrow.

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

Pursuant to notice, Mr. Burwell, seconded by Mr. McLean, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House if the Royal Assent has been given to the bill passed last session, entitled, "An Act to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire :—" and that Messrs. Merritt and Chisholm of *Hallon* be a committee to draft and report the same.

Address to His Exc'y on bill granting land to Col. FitzGibbon, ordered.

Which was carried and ordered.

Mr. Merritt, from the committee to draft an address to His Excellency the Governor General, pursuant to the above resolution, reported a draft, which was received and read the first time.

Address reported and read first time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Burwell, seconded by Mr. Merritt, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

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

Address read 2d time and concurred in.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Burwell, seconded by Mr. Merritt, moves that the address be not read a third time to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

3d reading to-day.

Pursuant to the order of the day, the bill to levy an additional assessment on the district of Victoria, was read the second time.

Victoria assessment bill (2d) read second time and committed.

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

Mr. Sherwood in the chair.

The House resumed.

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

Bill reported amended.

The report was received.

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

3d reading to-morrow.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Merritt, moves to bring in a bill to alter and amend the usury laws in this Province.

Bill to amend usury law brought in.

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

Bill read.

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

2d reading to-morrow.

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

Ordered—That two hundred copies of the bill to amend and alter the usury laws of this Province, be printed for the use of members.

200 copies of bill to be printed.

Pursuant to notice, Mr. Prince, seconded by Mr. Sherwood, moves for leave to bring in a bill for the better regulation of the practice of the law in this Province.

Bill to amend practice of the law (Barrister and Attorney separation) brought in.

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

Bill read.

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

2d reading to-morrow.

Mr. Thorburn, seconded by Mr. Prince, moves that it be resolved, that the Clerk of this House do procure two printed copies of the Despatches of Lord Glenelg, to and from Sir Francis B. Head, Bart., while Lieutenant Governor of the Province of Upper Canada, as ordered to be published by the House of Commons 22d March last, and that the same be placed in the library in charge of the librarian, and that the expence in procuring the same be charged in the contingencies of this House; and that the 31st rule of this House be dispensed with so far as relates to the same.

Motion for Clerk to procure two copies of Lord Glenelg and Sir F. Head's despatches.

In amendment—Mr. Burwell, seconded by Mr. Robinson, moves that after the word "last" the following be added, "and also the third edition of Sir Francis Head's Narrative."

Amendment moved, to procure Sir F. Head's narrative.

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

Y E A S .

Yeas—27.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burritt, Burwell, Caldwell, Cartwright, Chisholm, of Halton, Chisholm of Glengarry, Gowan, Hotham, Jarvis, Kearnes, Lewis, Malloch, McCrae, McDonell, of Northumberland, McKay, Murney, Parke, Powell, Prince, Robinson, Rykert, Shade, Sherwood*—27.

N A Y S .

Nays—17.

Messrs. *Cook, Dellar, Duncombe, Ferrie, Manahan, McCargar, McDonell of Stormont, McIntosh, McLean, Merritt, Moore, Morris, Shaver, Small, Thorburn, Woodruff*.—17.

Amendment carried—
majority 10.

Original question, as
amended, carried.
Original question, as
amended.

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

The original question as amended was then put and carried as follows :—

Resolved—That the Clerk of this House do procure two printed copies of the Despatches of Lord Glenelg, to and from Sir Francis B. Head, Bart., while Lieutenant Governor of the Province of Upper Canada, as ordered to be published by the House of Commons, 22d March last, and also the third edition of Sir Francis Head's Narrative, and that the same be placed in the library, in charge of the librarian, and that the expense in procuring the same be charged in the contingencies of this House.

Message from Legisla-
tive Council

A message from the Honourable the Legislative Council, was brought down by Mr. Joseph, Clerk to that Honourable House, who, having delivered the same at the Clerk's table, retired.

The message was read by the Speaker as follows :—

MR. SPEAKER :

The Legislative Council have adopted the accompanying resolution which they communicate herewith for the information of the Commons House of Assembly.

JONAS JONES,
SPEAKER.

Message, with resolution
on illness of Master in
Chancery.

Legislative Council Chamber,
Seventh day of January, 1840. }

Resolution of Leg.
Council on illness of
Master in Chancery.

Resolved—That during the illness of the Master in Chancery, the Clerk of this House be directed to carry any messages to the Commons House of Assembly, and that this resolution be communicated to that House."

Resolution to receive
Clerk of Leg. Council
in place of Master in
Chancery, during his
illness.

Mr. Attorney General, seconded by Mr. Robinson, moves that it be *Resolved*—That during the illness of the Master in Chancery, the Clerk of the Honourable the Legislative Council be received as their Messenger to this House, and that this resolution be communicated to the Honourable the Legislative Council; and that the twentieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and Messrs. Attorney General and Sherwood were ordered by the Speaker to carry up the message.

Com. of supply on
levying additional
assessment on County
of Huron.

Pursuant to notice, Mr. Shade, seconded by Mr. McKay, moves that this House resolve itself into a Committee of supply, this day, for the purpose of levying an additional rate of one penny in the pound for erecting a Gaol and Court House in the county of Huron.

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

Mr. Murney in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Progress reported—sit again to-day.

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

The report was received, and leave granted accordingly.

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

Ordered—That Mr. McDonell, of Glengarry, be added to the committee on the report of the commissioners on the improvement of the St. Lawrence.

Mr. McDonell of Glengarry added to com. on St. Lawrence commissioners' report.

Mr. Speaker reported that Mr. Joseph, Clerk to the Honourable the Legislative Council, had brought down two messages, and the bill entitled "An Act to naturalize Elijah Nellis," and also the bill entitled "An Act to provide for the continuation of suits and process in cases of formation of new Districts," which that Honourable House had passed; and also the bill entitled "An Act to regulate the Inspection of Fish, and to prevent non-residents from fishing within the waters of this Province," to which that Honourable House had made some amendments, and requested the concurrence of this House thereto

Speaker reports message from Leg. Council. Nellis' naturalization bill sent down. Bill to provide for continuation of suits in new districts sent down. Fish inspection bill sent down amended.

The Messages were read by the Speaker as follows:—

Messages.

Mr. SPEAKER:

The Legislative Council have passed the bill entitled, "An Act to appoint the time for holding the Court of General Quarter Session of the Peace for the Home District, and to repeal the law now in force for that purpose," without any amendment.

Home District Quarter Sessions bill passed Legislative Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Third day of January, 1840. }

Mr. SPEAKER:

The Honourable Robert Baldwin Sullivan has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House, in their Message received this day, if he thinks fit.

Leave for Mr. Sullivan to attend select com.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Sixth day of January, 1840. }

The bill sent down by the Honourable the Legislative Council, entitled "An Act to naturalize Elijah Nellis," was read the first time.

Nellis' naturalization (L. C.) read first time.

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

2d reading to-morrow.

The bill sent down by the Honourable the Legislative Council, entitled "An Act to provide for the continuation of suits and process, in cases of formation of new Districts," was read the first time.

Bill for continuation of suits in new districts read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Murney, seconded by Mr. Manahan, moves that the bill sent down by the Honourable the Legislative Council, entitled "An Act to provide for the continuation of suits and process in cases of formation of new districts," be now read a second time, and that the thirty-eighth rule of this House be dispensed with for that purpose.

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

Bill read 2d time and committed.

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

Mr. Burwell in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading to-morrow.

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

Amendments to Fish Inspection bill read first time.

The amendments made by the Honourable the Legislative Council in and to the bill sent up from this House, entitled "An Act to regulate the Inspection of Fish, and to prevent non-residents from fishing within the waters of this Province," were read the first time as follows:—

Amendments.

IN THE TITLE:—

Line 2—After "non-residents," insert "in this Province."

Line 3—After "of" expunge the remainder of the title, and insert "the same."

IN THE BILL:—

Press 1, Line 14—After the word "the," insert "Governor or."

" Line 24—After "non-residents," insert "in this Province."

Press 2, Line 1—After "of" expunge "this Province," and insert "the same."

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }
Second day of January, 1840. }

On the question for the second reading of the amendments to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Shade, moves that the amendments be not read a second time on to-morrow, but that they be read a second time forthwith, and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Amendments read second time.

Which was carried and the amendments were read the second time.

Mr. Bockus, seconded by Mr. Shade, moves that the amendments be now concurred in.

Amendments concurred in.

Which was carried, and the amendments were concurred in.

3d reading to-morrow.

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

Com. of supply on petition of Magistrates of Midland districts.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Boulton moves that this House resolve itself into a committee of supply on the petition of the Magistrates of the Midland District.

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

Mr. Solicitor General in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was then put, and carried as follows:—

Resolution.

Resolved—That there be granted to Her Majesty, a sum not exceeding the sum of £3,500 to enable Her Majesty to grant a like sum to be raised by an additional assessment on the inhabitants of the Midland District, for the purpose of paying off the debt of the district and for the erection of a wall around the Gaol of the District, and other improvements thereto.

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

Com. to draft bill on resolution.

Ordered—That the resolution of the committee of the whole, granting an additional assessment on the inhabitants of the Midland District, be referred to a committee consisting of Messrs. Dettor and Attorney General to draft and report a bill pursuant to such resolution.

Speaker reports statement of affairs of Commercial Bank.

Mr. Speaker reported that he had received from the Cashier of the Commercial Bank, a letter together with a statement of the affairs of that Institution.

The letter and statement are as follows :—

COMMERCIAL BANK, M. D.,
Kingston, 9th December, 1839.

SIR:

In conformity with the resolution of the Honorable the House of Assembly, I now Letter.
wait on you with a Statement of the affairs of this Institution, to this date, for their information.

I have the honor to be,

Sir,

Your obedient servant,

F. A. HARPER,

Cashier.

To JAMES FITZGIBBON, Esq.

Clerk of Assembly,

&c. &c. &c.

Toronto.

GENERAL STATEMENT of the affairs of the Commercial Bank, of the Midland District, on Monday, 9th December, 1839.

	£	s.	d.		£	s.	d.	
Capital Stock paid in,.....	200,000	0	0	Gold, Silver, and Copper Coins, in the Bank and its offices, Vault,.....£91,000				Statement.
Amount of Notes in circulation, not bearing interest, of the value of \$5 and upwards,..£191,042 15				Offices,.....	7,267	11	6	
Ditto under \$5,.....	31,510	15			98,267	11	6	
	222,553	10	0	Real Estate and Bank Furniture..	6,133	3	11	
Bills and Notes in circulation, bearing interest,.....	None.			Bills of other Banks,.....	6,525	10	0	
Balances due to other Banks,.....	31,954	13	11	Balances due from other Banks and Foreign Agencies,.....	6,061	6	5	
Cash deposited, including all sums whatsoever due from the Bank, not bearing interest, (its bills in circulation and balances due to other Banks excepted.).....	67,745	18	8	Amount of all debts due, including Notes, Bills of Exchange, and all stock and funded debts of every description, excepting the balances due from other Banks,.....	411,096	18	8	
Cash deposited, bearing interest,...	6,480	5	11					
Total liabilities,....£	528,084	8	6	Total resources,....£	528,084	8	6	

WILLIAM LOGIE,
Vice President.

F. A. HARPER,
Cashier.

Commercial Bank, M. D., Kingston, }
Ninth December, 1839. }

Rate of last dividend, No. 12, four per cent, for six months, ending 30th June, 1839,.....£ 3,000
Rate of dividend declared, No. 13, four per cent, for seven months, to 31st instant, payable 2d January, 1840,..... 3,000
Amount of reserved profits at the time of declaring dividend, No. 13..... 20,528
Amount of debts due to the Bank and not paid, in the hands of the Solicitor, £17,657 12s 1d, of which £1,750 may be considered doubtful.

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

WILLIAM LOGIE,
Vice President.

F. A. HARPER,
Cashier.

Sworn before me, at Kingston, }
this 9th day of December, 1839. }

JAMES McFARLANE, J. P.

Adjourned.

MONDAY, 8th January, 1840.

The House met.

The minutes of yesterday were read.

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

By Mr. Bockus, the petition of the Board of Trade of the City of Toronto.

By Mr. Morris, the petition of George Longley, and forty-five others, of the town of Brockville and its vicinity.

By Mr. McLean, the petition of Charles A. Low, J. P., and one hundred and twenty-one others, of the Eastern and Ottawa Districts; and the petition of Duncan McDonell, Esq., of Greenfield, in the Eastern District.

By Mr. Prince, the petition of Thomas Moore Taylor, of the Town of Chatham; and the petition of Lewis Davenport, of the town of Sandwich.

By Mr. Cartwright, the petition of Wm. Gamble, and seventy others, of the City of Toronto and its vicinity.

By Mr. Aikman, the petition of the Trustees of the Ancaster Literary Institution.

And by Mr. Robinson, the petition of Æneas Bell, the chief messenger to the House of Assembly.

Pursuant to the order of the day, the address to His Excellency the Governor General, for information respecting certain Medals, was read a third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULET THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to cause such information to be laid before this House, as can be procured, regarding certain Gold and Silver Medals which were sent out to this country, to be distributed among the Militia who defended it during the late war, and which medals are now said to be deposited in the Bank of Upper Canada; and also a large sum of money which was sent at the same time to be distributed among the sufferers by the late American war.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Eighth day of January, 1840. }

Messrs. Chisholm, of *Haltou*, and Shade, were ordered by the Speaker to wait upon His Excellency with the address and to present the same.

Pursuant to the order of the day, the address to His Excellency the Governor General, requesting certain returns from the Canada Company, was read the third time and passed, and is as follows:—

Petitions brought up:

Board of Trade of Toronto.

G. Longley and 45 others.

C. A. Low and 121 others.

D. McDonell, Esq. of Greenfield.

T. M. Taylor.

I. Davenport.

W. Gamble and 70 others.

Trustees of Ancaster Literary Institution.

Æneas Bell.

Address on certain medals passed.

Address.

Address for returns from Canada Company passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House, with as little delay as possible, a statement of the returns made by the Canada Company, of lands settled by said Company, in the Huron Tract, during the twelve months, ending on the 1st day of January, 1840, together with a statement of the sums of money expended, (if any), either by the Company, with the sanction of the Government, or by the Government, according to the spirit, intention, and meaning of the thirtieth article of the agreement between Her Majesty's Government and the said Company, with the names of the settlers placed on said lands, in said Huron Tract, during the time above stated.

Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Eighth day of January, 1840. }

Messrs. Shade and Chisholm were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill to cover the contingencies of last session was read the third time and passed.

Contingencies covering bill read third time and passed.

Mr. Thorburn, seconded by Mr. Thomson, moves that the bill be entitled "An Act to make good certain moneys advanced in compliance with the address of the House of Assembly during the last Session of the Legislature for the contingent expences thereof."

Title.

Which was carried, and Messrs Thorburn and Thomson were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill to open a new road in the township of Sandwich, was read the third time and passed.

Sandwich road bill read 3d time and passed.

Mr. Prince, seconded by Mr. McCrae, moves that the bill be entitled "An Act for stopping up parts of certain streets in the town plot of Sandwich in the Western District, and for other purposes therein mentioned."

Title.

Which was carried, and Messrs. Prince and McCrae were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Address on bill granting land to Col. FitzGibbon passed.

Pursuant to the order of the day, the address to His Excellency respecting the bill granting land to Colonel FitzGibbon, was read the third time and passed, and is as follows:

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to inform this House if the Royal Assent has been given to the bill passed last Session, entitled, "An Act to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire."

Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Eighth day of January, 1840. }

Messrs. Burwell and Merritt were ordered, by the Speaker, to wait upon His Excellency with the address, and present the same.

Victoria assessment bill read 3d time and passed

Pursuant to the order of the day, the bill to levy an additional assessment on the district of Victoria, was read the third time and passed.

Title.

Mr. Murney, seconded by Mr. Manahan, moves that the bill be entitled, "An Act to alter and amend an Act, entitled, 'An Act to authorize the erection of the county of Hastings into a separate district, and to continue the additional assessment for the district of Victoria.'"

Bill sent to Leg. Council

Which was carried, and Messrs. Murney and Manahan were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill for continuation of suits in new districts (L. C.) read third time and passed.

Pursuant to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled, "An Act to provide for the continuation of suits and process in cases of formation of new districts," was read the third time and passed.

Bill returned to Legislative Council.

Messrs. Lewis and Kearnes were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had agreed to the same without amendment.

Amendments to Fish Inspection bill passed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to regulate the Inspection of Fish, and to prevent non-residents from fishing within the waters of this Province," were read the third time and passed.

Messrs. Morris and Bockus were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Petitions read :

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

Of T. Butler and 101 others.

Of T. Butler, and one hundred and one others, of the township of Niagara and its vicinity, praying for an increase of the capital stock of the Commercial Bank of the Midland District.

G. Adams and 46 others

Of George Adams, and forty-six others, of the village of St. Catharines, and its vicinity, praying the same.

Susannah Kerry.

Of Susannah Kerry, stating that her husband who was a captain in the Kent militia, was killed in a skirmish with the brigands, near Bear Creek, in June, 1838, and praying relief.

D. McDonell and 104 others.

Of Duncan McDonell Greenfield, J. P., and one hundred and four others of the Eastern District, praying that a law may be passed to compel owners of land overflowed by mill dams, to submit their claims for damages to arbitrators.

G. Saunders and 372 others.

And of George Saunders, and three hundred and seventy-two others, of the townships of Whitby and Pickering in the Home District, praying for certain alterations in the law of treason.

Board of Trade of Toronto (relating to L. Canada Banks.)

Mr Bockus, seconded by Mr. Malloch, moves that the petition of the Board of Trade of the City of Toronto be now read, and that the forty-first rule of this House be dispensed with, so far as relates to this motion.

Which was carried, and the petition of the Board of Trade, of the city of Toronto, praying that the Banks of Lower Canada may be permitted to establish agencies in this Province was read.

Mr. Hotham, seconded by Mr. Kearnes, moves that the petition of Charles P. Treadwell, Esq., be now read, and that the forty-first rule of this House be dispensed with for this purpose.

C. P. Treadwell, Esq.

Which was carried, and the petition of Charles P. Treadwell, Esq., Sheriff of the district of Ottawa, stating that the Treasurer's office was destroyed by fire in 1834, with most of the books and papers, and that much confusion had arisen from the want of a list of lands in arrear for taxes in the said district, and praying relief, was read.

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

Petitions referred :

Ordered—That the petition of Charles P. Treadwell, be referred to a committee consisting of Messrs. Solicitor General, Ruttan, McKay, and Jarvis, with power to report thereon by bill or otherwise.

Of C. P. Treadwell to select committee.

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

Ordered—That the petition of Joseph B. Clench, Chairman of the Quarter Sessions of the district of London, be referred to a committee consisting of Messrs. Parke and Moore, to report thereon.

Of J. B. Clench, Esq. to select committee.

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

Ordered—That the petition of William Robertson, J. P., and others be referred to a committee consisting of Messrs. Parke and Ferrie, to report thereon by bill.

Of W. Robertson and others to select com.

On motion of Mr. McCrae, seconded by Mr. Kearnes,

Ordered—That the petition of Susannah Kerry, be referred to the same committee to whom was referred the petitions of Daniel Steward and John Campbell.

Of Susannah Kerry to com. on petition of Steward and Campbell.

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

Ordered—That the petition of the Board of Trade of the city of Toronto, be referred to the committee of the whole on the bill to authorize the chartered Banks of Lower Canada to establish agencies in this Province.

Of Board of Trade (L. C. Banks) to committee on Lower Canada Bank Agency bill.

Mr. Powell gives notice that he will, on to-morrow, move an address to His Excellency the Governor General, requesting that statements of the expenditure attending the Survey of the Ottawa, may be laid before this House.

Notices :
Of address to His Exc'y on expenses of survey of Ottawa.

Mr. Boulton gives notice that he will, on Thursday next, move that the House do resolve itself into a committee of supply in order to provide for the remuneration of persons whose property may be destroyed by incendiaries.

Of com. of supply on destruction of property by incendiaries

Mr. Murney gives notice that he will, on to-morrow, move for a select committee, to enquire into the practice and costs of the Court of Chancery within this Province and all other matters connected with said Court.

Of motion for select committee on Court of Chancery.

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

Ordered—That it be resolved, that an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be transmitted, for the information of this House, the following documents, or copies thereof, connected with the matter referred to a select committee of this House, to which was referred the petition of Warren Claus, Esquire, and Catharine Lyons, (and which were left in the Office of the Executive Council, for the information of the Council), viz :—a letter from Major Hillier, Private Secretary to His Excellency Sir Peregrine Maitland, dated the 26th December, 1822, to Colonel Claus; another letter from the same to the same, dated the 24th day of July, 1826; a surrender, dated 3d August, 1826, from fifty-four chiefs of the Six Nations Indians, to the Crown, for the use of Colonel Claus; a letter from Major Winniett, dated the 1st day of February, 1836, addressed to A. Stewart, Esquire. Also, copies of the following documents, viz :—Sir Peregrine Maitland's despatch to Earl Bathurst, dated 30th September, 1826, No. 41, on the subject of Colonel Claus' claim; answers to queries put by Sir Francis Bond Head, while administering the government of this Province, to the witnesses to the execution of the aforesaid surrender, together with the affidavit of Alexander Stewart, Esquire, relating to the execution of the said surrender; of such part of the proceedings of the Council of Indians, held on the Grand River, relating to Colonel Claus' said claim, in the presence of His Excellency Sir George Arthur, in September, 1838; and of the report of the Executive Council on the said claim, sometime about the month of January last, together with the Attorney General's report thereon; that the thirty-first rule of this House be dispensed with, so far as relates to the same, and that Messrs. Rykert and McDonell, of Glengarry, be a committee to draft and report said address.

Address to His Exc'y on claim of Col. Claus. ordered.

Mr. Woodruff, from the committee to draft an address to His Excellency the Governor General, for a return of fines imposed, &c. for driving sleighs without bells, reported a draft, which was received and read the first time.

Address for return of fines (sleigh bells) reported and read.

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

2d reading to-morrow.

Address on Col. Claus' claim, reported.

Mr. Rykert, from the select committee to draft an address to His Excellency the Governor General, for certain documents respecting the claim of the late Colonel Claus, reported a draft, which was received and read the first time.

Address read.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Rykert, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Address read 2d time and concurred in.

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

3d reading to-morrow.

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

Sel. com. on petition of Helen Handley, report Handley's estate bill.

Mr. Boulton, from the select committee, to which was referred the petition of Helen Handley, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Bill read.

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

2d reading to-morrow.

Ordered—That the bill to appoint Trustees to manage the estate of William Handley, be read a second time to-morrow.

Com. to draft Midland District assessment bill, report bill.

Mr. Cartwright, from the committee to draft a bill pursuant to the resolution of this House, for levying an additional assessment in the Midland District, reported a draft.

Bill read.

The report was received, and the bill authorising the raising of an additional rate on the Midland District, was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Cartwright, seconded by Mr. Mathewson, moves that the bill authorising an additional assessment on the inhabitants of the Midland District be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Bill read second time and committed.

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

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

Mr. McKay in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading to-morrow.

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

Sel. com. on petition of W. Chisholm and 9 others, report Oakville Hydraulic Company bill.

Mr. McKay, from the committee to which was referred the petition of William Chisholm, Esquire, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Bill read.

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

2d reading to-morrow.

Ordered—That the Oakville Hydraulic Company bill be read a second time to-morrow.

Sel. com. on petition of S. Washburn and others report Prince Edward Bank bill.

Mr. Bockus, from the committee to which was referred the petition of S. Washburn, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

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

2d reading to-morrow.

Ordered—That the Prince Edward Bank bill be read a second time to-morrow.

Sel. com. on petition of J. B. Harrison and others report Bronte Harbour bill.

Mr. Chisholm, of *Hallon*, from the select committee to which was referred the petition of J. B. Harrison and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Bill read.

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

2d reading to-morrow.

Ordered—That the Bronte Harbour Company bill be read a second time to-morrow.

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

Mr. Chisholm of *Glengarry* in the chair.

The House resumed.

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

The report was received.

On the question for the third reading of the bill to-morrow, the yeas and nays were taken as follows: — Division on third reading to-morrow.

YEAS.

Messrs. *Burritt, Chisholm*, of Halton, *Chisholm*, of Glengarry, *Cook, Deltor, Duncombe, Ferrie, Manahan, McCargar, McDonell*, of Stormont, *McIntosh, McMicking, Merritt, Moore, Morris, Parke, Shaver, Small, Thomson, Woodruff*—20. Yeas—20.

NAYS.

Messrs. *Aikman, Attorney General, Burwell, Caldwell, Cartwright, Gamble, Hunter, Jarvis, Kearnes, Lewis, Malloch, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McLean, Robinson, Sherwood, Solicitor General, Wickens*—19. Nays—19.

The question of amendment was carried in the affirmative by a majority of one, and the bill was ordered to be engrossed and read a third time to-morrow. Carried—majority 1.

Pursuant to the order of the day the York Bridge bill was read the second time. York bridge bill read 2d time and committed.

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

Mr. Gowan in the chair.

The House resumed.

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

The report was received.

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

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

Ordered—That this House do, on to-morrow, resolve itself into a committee of supply on the report of the select committee to whom was referred the petition of Mrs. Blackwood. Report on petition of Mrs. Blackwood referred to supply.

Pursuant to notice, Mr. Thorburn, seconded by Mr. Morris, moves that the following resolution be one of the standing orders of this House:—

Resolved—That in all cases when committees or commissioners shall be appointed by ballot by this House, the number of votes given for each member so chosen shall be inserted in the Journals after each member's name. Motion for standing rule respecting balloting for committees.

On which the House divided and the question was lost. Question lost.

Pursuant to notice, Mr. Solicitor General, seconded by Mr. Shaver, moves for leave to bring in a bill to provide for the administration and distribution of the estates and effects of persons becoming bankrupts. Bankruptcy bill brought in.

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

Ordered—That the bill be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the address to His Excellency the Governor General in behalf of A. Manahan, Esq., was read the second time. Address on behalf of Mr. Manahan read 2d time.

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

Address and report referred back to select committee.

Ordered---That the report of the select committee and the address to His Excellency on the petition of A. Manahan, Esq., be referred back to the select committee to whom the said petition was originally referred.

Com. of supply again on report on petition of J. Kidd.

Pursuant to the order of the day, the House was again put into a committee of supply on the report of the select committee on petition of John Kidd.

Mr. Hunter in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put, as follows:—

Resolution.

Resolved—That there be granted to Her Majesty, the sum of one hundred and fifty pounds to enable Her Majesty to pay a like sum to John Kidd as a compensation for services in taking charge of state prisoners

Division on resolution.

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

Y E A S.

Yeas—19.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Chisholm of Halton, Gamble, Jarvis, Manahan, Matthewson, McDonell of Glengarry, McLean, McMicking, Parke, Powell, Prince, Richardson, Robinson, Thomson, Thorburn*—19.

N A Y S.

Nays—15.

Messrs. *Aikman, Bockus, Chisholm of Glengarry, Cook, Dettor, Gowan, Hunter, Lewis, Malloch, McCargar, Morris, Murney, Rykert, Shade, Shaver*—15.

Carried—majority 4.

The question was carried in the affirmative by a majority of four and the resolution was adopted,

Adjourned.

THURSDAY, 9th January, 1840.

The House met.

The minutes of yesterday were read.

Petitions brought up:

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

J. Secord and 43 others.
J. F. Taylor.

By Mr. Aikman, the petition of John Secord, J. P., and forty-three others, of the Township of Binbrook and Glandford, in the district of Gore; and the petition of John Fennings Taylor, of the City of Toronto.

W. M. Ball, and 59 others.

And by Mr. Richardson, the petition of William M. Ball, and fifty-nine others.

Address to His Exc'y on claim of Warren Claus passed.

Pursuant to the order of the day, the address to His Excellency the Governor General, for certain information respecting the claim of Warren Claus, was read the third time and passed, and is as follows.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to cause to be transmitted, for the information of this House, the following documents, or copies thereof, connected with the matter referred to a select committee of this House, to which was referred the petition of Warren Claus, Esquire, and Catharine Lyons, which were left in the Office of the Executive Council for the information of the committee, viz:—A letter from Major Hillier, Private Secretary to His Excellency Sir Peregrine Maitland, dated the 26th December, 1822, to Colonel Claus; another letter from the same to the same, dated the 24th day of July, 1826; a surrender, dated 3d August, 1826, from fifty-four chiefs of the Six Nation Indians to the Crown, for the use of Colonel Claus; a letter from Major Winniett, dated the 1st day of February, 1836, addressed to A. Stewart, Esquire. Also, copies of the following documents, viz:—Sir Peregrine Maitland's despatch to Earl Bathurst, dated 30th September, 1826, No. 41, on the subject of Colonel Claus' claim; answers to queries put by Sir Francis Bond Head, while administering the government of this Province, to the witnesses to the execution of the aforesaid surrender, together with the affidavit of Alexander Stewart, Esquire, relating to the execution of the said surrender; of such part of the proceedings of the Council of Indians, held on the Grand River, relating to Colonel Claus' said claim, in the presence of His Excellency Sir George Arthur, in September, 1838; and of the report of the Executive Council on the said claim, some time about the month of January last, together with the Attorney General's report thereon.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Ninth day of January, 1840. }

Messrs. Sherwood and Rykert were ordered, by the Speaker, to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill to authorise the levying an additional assessment on the Midland District, was read the third time and passed.

Midland District tax bill read third time and passed.

Mr. Cartwright, seconded by Mr. Mathewson, moves that the bill be entitled, "An Act to authorise the levying an additional rate on the inhabitants of the Midland District, for the payment of the debt of the district, and for other purposes therein mentioned."

Title.

Which was carried, and Messrs. Cartwright and Mathewson were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council Election bill read third time.

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

On the question for passing the bill,

On question for passing,

In amendment—Mr. Sherwood, seconded by Mr. Cartwright, moves that the bill do not now pass, but that the same be recommitted, for the purpose of adding the following clauses:—

Amendment moved—(Mr. Sherwood.)

"And be it, &c. That notwithstanding any law to the contrary, no person shall be entitled to vote for any member or members of the House of Assembly, for any county or riding, unless he shall have been duly registered, according to the provisions hereinafter contained, and that no person shall be so registered in any year, in respect of his estate or interest in any lands or tenements, as a freeholder, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof, for his own use, for six calendar months, at least, next previous to the last day of April in such year, which said period of six calendar months shall be sufficient, any statute to the contrary notwithstanding, or until the conveyance thereof shall have been registered three calendar months at least previous to the last day of April in said year; *Provided always*, that when any lands or tenements, which would otherwise entitle the owner thereof to vote in any such election, shall come to any person at any time, within such period of six months, by grant from the crown, descent, marriage, or devise, such person shall be

Amendment moved—
(Mr. Sherwood.)

entitled in respect thereof to have his name inserted as a voter, in the election of a member or members of the House of Assembly, for any county or riding, in the list then next to be made by virtue of this act, as is hereinafter mentioned, and upon his being duly registered, according to the provisions hereinafter contained, to vote in such election.

“*And be it, &c.* That notwithstanding any law to the contrary, no person shall be entitled to vote for any member or members of the House of Assembly, for any city or town, unless he shall have been duly registered, according to the provisions hereinafter contained, and that no person shall be registered in any year, in respect of his estate, in any dwelling house and lot of ground, as a freeholder, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof, to his own use, for six calendar months, next previous to the last day of April in such year, which said period of six months shall be sufficient, any statute to the contrary notwithstanding, or unless the conveyance thereof to such person shall have been registered three calendar months at least, previous to the last day of
in such year, and that no person shall be so registered in any year, in respect of any dwelling house or lot of ground held by him, as tenant, paying a yearly rent for the same, unless he shall have been resident within such city or town for the space of twelve calendar months, next previous to the last day of April in such year, and shall have *bona fide* paid one year's rent for the dwelling house in which he shall have so resided, at the rate of ten pounds sterling or upwards; *Provided always*, that when any dwelling house and lot of land, which would otherwise entitle the owner thereof to vote as a freeholder in any such election, shall come to any person, at any time within such period of six months, by grant from the crown, descent, marriage, or devise, such person shall be entitled, in respect thereof, to have his name inserted as a voter, in the election of a member or members of the House of Assembly, for any county or riding in the list, then next to be made by virtue of this act, as is hereinafter mentioned, and upon his being duly registered, according to the provisions hereinafter contained, to vote in such election.

“*And be it, &c.* That the Clerk of each and every township in the Province shall, on the last day of March, in the present and every succeeding year, cause to be fixed, at the place where the last town meeting was held in his township, and in two other of the most public and conspicuous places within such township, a notice, according to the form numbered one, in the schedule, to this act annexed, requiring all persons who may be entitled to vote in the election of a member or members of the House of Assembly, for a county or riding, to serve in any future Parliament, in respect of any property situate in such township, on or before the day of April, in the present and every succeeding year, to deliver or transmit to the said clerk a notice of their claim, as such voters, according to the form numbered two, in the said schedule, or to the like effect; *Provided always*, that after the formation of the register, to be made in each year, as hereinafter mentioned, no person, whose name shall be upon such register for the time being, shall be required thereafter, to make any such claim as aforesaid, so long as he shall retain the same qualification and continue in the same place of abode.

“*Provided always and be it, &c.* That the clerk of such township shall, in all cases where a town, entitled to return a member, shall be situate within the limits of his township, and the clerk of every city and town corporate, entitled to return a member, shall, on or before the last day of March, in the present and every succeeding year, cause to be fixed, on or near the doors of the court-house, city, or town-hall, (if any such there be), and in not less than two other public and conspicuous situations within the same, a similar notice, requiring all persons, who may be entitled to vote in the election of any member for such city or town, in respect of any property, situate in such city or town, to deliver or transmit to the said clerk, on or before the last day of April, in the present and in every succeeding year, a notice of their claim as such voters, according to the form numbered seven, in the said schedule, or to the like effect; *Provided always*, that after the formation of the register, to be made in each year, as hereinafter mentioned, no person, whose name shall be upon such register, for the time being, shall be required, thereafter, to make any such claim as aforesaid, so long as he shall retain the same qualifications.

“*And be it, &c.* That the clerks of every such township, city, or town, shall, on or before the 14th day of May, in the present year, make out, or cause to be made out, according to the form numbered three, (or eight, as the nature of the case may require), in the said schedule, an alphabetical list of all persons who shall claim, as aforesaid, to be inserted in such list, as voters, in the election of a member or members of the House of Assembly, for the county or riding, within which such township lies, or for such city or town, in respect of any lands or tenements, situated within such township, city or town, and that the said clerk shall, on or before the (14th) day of May, in every succeeding year, make out, or cause to be made out, a like list, containing the names of

of all persons who shall be upon the register for the time being as such voters, and also the names of all persons who shall claim as aforesaid, to be inserted in such last-mentioned list as such voters, and in every list so to be made by the clerks as aforesaid, the christian and sur-name of every person shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of such lands, dwelling house, or tenements as the same are respectively set forth in his claim to vote and the name of the occupying tenant, if stated in such claim, and the said township, city or town clerks if they shall have reasonable cause to believe that any person so claiming as aforesaid, or whose name shall appear in the register for the time being, is not entitled to vote in the election of a member or members for such county, riding, city or town respectively, shall have power to add the words "objected to" opposite the name of every such person on the margin of such list, and the said clerk shall sign such list and shall fix or cause to be fixed at every place where he shall have put up the aforesaid notices to parties to prefer their claims to vote, a copy of such list within a week after the same shall have been made, and the said clerk shall likewise keep a true copy of such list, to be perused by any person without the payment of any fee, at all reasonable hours during the two first weeks after such list shall have been made

Amendment moved—
(Mr. Sherwood.)

"*And be it, &c.* That every person who shall be upon the register for the time being of voters for any county, riding, city or town, or who shall have claimed to be inserted in any list for the then current year of voters for any county, riding, city or town, may object to any person as not having been entitled, on the last day of (April) then next preceding, to have his name inserted in any list of voters for such county, riding, city or town, so to be made as aforesaid, and every person so objecting (save and except clerks objecting in the manner hereinbefore mentioned) shall, on or before the (25th) day of (May) in the present and every succeeding year, give in, or cause to be given, a notice in writing according to the form numbered four in the said schedule or to the like effect, to the clerk who shall have made out the list in which the name of the person so objected to shall have been inserted, and the person so objecting shall also, on or before the (25th) day of (May) in the present and in every succeeding year, give to the person objected to or leave at his place of abode as described in such list, or personally deliver to his tenant in occupation of the premises described in such list, a notice in writing according to the form numbered five in the said schedule or to the like effect, and the clerk shall include the name of all persons so objected to in a list according to the form numbered six in the said schedule, and shall cause copies of such list to be fixed at the same places as he shall have put up the notice to parties to prefer their claims to vote, during the week next preceding the (10th) day of (June) in the present and in every succeeding year, and the clerks shall likewise keep a copy of the names of all the persons so objected to, to be perused by any person without payment of any fee, at all reasonable hours during the ten days next preceding the said (10th) day of June during the present and every succeeding year.

"*And be it, &c.* That on or before the (1st) day of (June) in the present and in every succeeding year, every such clerk shall deliver the list of voters so made out as aforesaid, together with a written statement of the number of persons objected to by the clerks and by other persons, to the Clerk of the Peace of the District in which such township, city or town, is situate, who shall forthwith make out an abstract of the number of persons objected to by the clerks and by other persons in each township, city or town, and transmit the same to the barrister appointed as hereinafter mentioned, to revise such lists in order that the said barrister may fix proper times and places for holding his courts for the revision of the said lists.

"*And be it, &c.* That the Judges of Her Majesty's Court of Queen's Bench shall, between the first day of May and the fifth day of June, in the present and in every succeeding year, nominate and appoint for every such county, riding, city or town, a barrister or barristers, to revise the aforesaid lists of voters, and such barrister or barristers so appointed as aforesaid shall give eight days public notice by advertisement in some of the newspapers printed or circulated within the county, riding, city or town, that he or they will make a circuit of the county, riding, city, or town, for which he or they shall be so appointed and of the several times and places at which he or they will hold courts for that purpose, such times being between the (20th) day of (June) and the (20th) day of (July) inclusive, in the present and every succeeding year, and the places to be carefully selected with a view to the convenience of the voters named in such lists, and he or they shall hold

Amendment moved—
(Mr. Sherwood.)

open courts for that purpose at the times and places so to be announced, and when two or more barristers shall be appointed for the same county, riding, city or town, they shall hold separate courts for the despatch of business, either at the same or at different places and times: *Provided always* that no member of Parliament shall be appointed such barrister, and that no barrister so appointed as aforesaid shall be eligible to serve in Parliament for the county, riding, city or town, for which he shall be so appointed, for eighteen months from the time of such his appointment.

And be it, &c. That the Clerk of the Peace shall, at the opening of the first court to be held by every such barrister for any county, riding, city or town, produce or cause to be produced before him, the several lists of voters for such county, riding, city or town, which shall have been delivered to such Clerk of the Peace by the clerks as aforesaid—and the clerk of every township, city or town, who shall have made out the list of voters shall attend the court to be held by every such barrister, at the place appointed for revising the list, relating to such township, city or town respectively, and shall also deliver to such barrister, a copy of the list of the persons objected to, so made out by them as aforesaid, and the said clerks shall answer upon oath all questions as such barristers may put to them or any of them touching any matter necessary for revising the lists of voters, and every such barrister shall return on the list of voters the names of all persons to whom no objection shall have been made by the clerks or any other person, in the manner hereinbefore mentioned, and he shall also return on the list of voters the name of every person who shall have been objected to by any person other than the clerks, unless the party so objecting shall appear by himself or by some one in his behalf, in support of such objection, and when the name of any person inserted in the list of voters shall have been objected to by the clerk, or by any other person in the manner hereinbefore mentioned, and the person so objecting shall appear by himself or by some one in his behalf in support of such objection, every such barrister shall require it to be proved that the person so objected to was entitled on the last day of April the next preceding, to have his name inserted in the list of voters in respect of the qualification described in such list, and in case the same shall not be proved to the satisfaction of such barrister, or in case it shall be proved that such person was otherwise by law incapacitated from voting in the election of members to serve in the House of Assembly, such barrister shall expunge the name of every such person from the said lists, and he shall also expunge from the said lists the name of every person who shall be proved to him to be dead, and correct any mistake which shall be proved to him to have been made in any of the said lists as to any of the particulars by this act required to be inserted in such lists; and when the christian name of any person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the name of the tenant in the occupation thereof, as the same are respectively required to be inserted in any such list, shall be wholly omitted therefrom, such barrister shall expunge the name of every such person from the list, unless the matter so omitted be supplied to the satisfaction of such barrister, before he shall have completed the revision of such list, in which case he shall then and there insert the same in such list; *Provided always* that no person's name shall be expunged from any such list, except in case of his death, or of his being objected to on the margin of the list by the clerk as aforesaid, or except in case of any such omission or omissions as hereinbefore last mentioned, unless such notice as is hereinbefore required in that behalf shall have been given to such person, or left at his place of abode, or delivered to his tenant as hereinbefore mentioned; *Provided also*, that if the objection made to the claim of any person to have his name inserted as a voter on any such list shall be deemed by the revising barrister frivolous and vexatious, it shall and may be lawful for such barrister to grant to the person objected to, a certificate setting forth by whom such objection was made, and that the same was frivolous and vexatious, and also to what expense the person objected to had been put in proving his qualification in consequence of such objection—and that the amount of expense so certified may be recovered by the person in whose favour such certificate is granted from the party making the objection after demand by action of debt in the district court of the district wherein the transaction took place, in which action the certificate of the barrister shall, on proof of his signature be conclusive evidence of the facts therein stated.

“And be it, &c. That if it shall happen that any person, who shall have given to the clerk of any township, city or town, due notice of his claim to have his name inserted in the list of voting, in the election of a member or members of the House of Assembly, for any county, riding, city or town, shall have been omitted by such clerk from the list, it shall be lawful for the barrister, upon the revision of such list, to insert therein the name of the person so omitted, in case it shall be proved to the satisfaction

of such barrister, that such person gave the notice of such, his claim, to the said clerk, and that he was entitled, on the last day of (April), then next preceding, to be inserted in the list of votes, in the election of any member or members of the House of Assembly, for the county, riding, city or town, in respect of land or tenements, within any township, in such county or riding, or in respect to any lands or dwelling house, or tenement, in any such city or town.

Amendment moved—
(Mr. Sherwood.)

“*And be it, &c.* That every barrister, holding any court under this act, as aforesaid, shall have power to adjourn the same from time to time, and from any one place to any other place or places, within the same county, riding, city or town, but so as that no such adjourned court shall be held after the (20th) day of (July), in any year, and every such barrister shall have power to administer an oath (or in case of person allowed by law to affirm an affirmation) to all persons making objection to the insertion or omission of any name in any of such lists as aforesaid, and to all persons objected to and claiming to be inserted in any of such lists, or claiming to have any mistake corrected, or any omission supplied in any of such lists, and to all witnesses who may be tendered on either side, and that if any person, taking any oath, or making any affirmation under this act, shall wilfully swear, or affirm falsely, such person shall be deemed guilty of perjury, and shall be punished accordingly, and that at the holding of such respective courts, the parties shall not be attended by counsel, and that every such barrister shall, upon the hearing in open court, finally determine upon the validity of such claims and objections, and shall, for that purpose, have the same power and proceed in the same manner (except where otherwise directed by this act) as the returning officer of any county, riding, city or town, according to the laws regulating elections, and such barrister shall, in open court, write his initials against the names respectively struck out or inserted, and against any part of the said list, in which any mistake shall have been corrected, or any omission supplied, and shall sign his name to every page of the several lists so settled.

“*And be it, &c.* That notwithstanding any thing hereinbefore contained, if it shall be made to appear to the Judge of the Court of Queen’s Bench, that by reason of the death, illness, or absence of any barrister, who shall have been appointed under this act, to revise the list of voters, or by reason of the insufficiency of the number of such barrister, or from any other cause, such list cannot be revised within the period presented by this act, it shall be lawful for the said Judges, or any two of them, to appoint one or more barrister or barristers, to act in the place of or in addition to the barrister or barristers originally appointed, and such barrister or barristers, so subsequently appointed, shall have the same power and authorities, in every respect, as if they had been originally appointed.

“*And be it, &c.* That the list of voters for each county, riding, city or town, so signed by such barrister, shall be forthwith transmitted by him to the Clerk of the Peace of the district within which said county, riding, city or town is situate, and the Clerk of the Peace shall keep the same among the records of the session, arranged with the townships within each several county, in alphabetical order, and shall forthwith cause the said lists to be truly and fairly copied, in the same order, in a book, to be by him provided for that purpose, and shall prefix to every name so copied out, its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall complete such book on or before the last day of (July), in the present and in every succeeding year, and every such book, so to be completed on or before the last day of (July), in the present year, shall be deemed the register of electors to vote after the end of this present Parliament, in the choice of a member or members to serve in Parliament, for the county, riding, city or town, to which such register shall relate, at any election which may take place after the said last day of July, in the present year, and before the first day of August, in the year of our Lord 1841; and every such book to be so completed, on or before the last day of July, in the year of our Lord 1841, and in every succeeding year shall be the register of electors, to vote at any elections which shall take place between the first day of November, inclusive, in the year wherein such respective register shall have been made, and the first day of November, in the succeeding year, and that such register shall be open to the inspection of any person, during office hours, on payment of a fee of six-pence to the Clerk of the Peace; *Provided always*, that after the name of any voter shall have been inserted in any such register, no revising barrister shall entertain any objection to, or expunge the name of such voter from any list or lists brought before him, but that the name of every voter, so inserted in such register, shall remain and be continued from year to year without further question or objection, for not less than (four) years, from the time the same was first inserted or returned by the revising barrister, in any list transmitted by him to the Clerk of the Peace.

Amendment moved—
(Mr. Sherwood.)

“*And be it, &c.* That the Clerks of the Peace shall cause to be written or printed copies of the register of electors for each county, riding, city or town, within his district, and shall deliver such respective copies to any person applying for the same, on payment of a reasonable price for each copy, and the money arising from the sale of all such copies shall be accounted for to the Treasurer of the District, as part of the district funds.

“*And be it, &c.* That as soon as possible after the appointment of the returning officer for any county, riding, city or town, it shall be the duty of the Clerk of the Peace, having custody thereof, to deliver, or cause to be delivered, to such returning officer, six printed copies of the register, for the time being, of electors of the county, riding, city or town for which such returning officer shall have been appointed, each of which copies shall be examined and certified to be correct by the Clerk of the Peace, and the returning officer shall furnish one copy to each deputy or clerk taking a poll, for his use and guidance at the election.

“*And be it, &c.* That the expenses incurred by the several township, city or town clerks in making out, publishing and transmitting the several lists and notices directed by this act, and all other necessary expenses incurred by them, in carrying into effect the provisions of this act, and all necessary expenses incurred by the several returning officers, their deputies or poll clerks, in conducting any election and taking the polls thereat, and all expenses incurred by the several Clerks of the Peace, in causing the lists of electors to be copied out and made into registers, and in causing copies of such registers to be written or printed, and in otherwise carrying into effect the provisions of this act, shall be defrayed by the Treasurer of the several Districts in which the same accrue; *Provided always*, that no such expenses shall be paid, unless the account thereof shall be laid in detail before the Justices of the Peace in Quarter Sessions assembled, within six months after such expenses have been incurred, and shall be allowed by the court, according to the schedule of this act numbered, and that the amount of such expenses shall be raised by a rate, in like manner as is now provided by laws for the payment of the members of the House of Assembly.

“*And be it, &c.* That every barrister appointed to revise any list of voters, under this act, shall be paid at the rate of (£2 10s.) for every day that he shall be so employed, and for his actual necessary outlay in travelling to the place or places where he shall hold his court, and every such barrister, after the termination of his last sitting, shall lay, or cause to be laid before the Governor for the time being of this Province, a statement of the number of days during which he shall have been so employed, and an account in detail of the travelling expenses incurred by him, in respect of such employment, which account shall be verified and audited in the same manner as all other public accounts, and the Governor shall issue his warrant on the Receiver General for the amount to be paid every such barrister.

“*And be it, &c.* That in all elections whatever of members to serve in any future Parliament, no inquiry shall be permitted at the time of polling as to the right of any person to vote, excepting only as follows, that is to say, that the returning officer, or his respective deputy, shall, if required on behalf of any candidate, put to any voter, at the time of tendering his vote, and not afterwards, the following questions, or any of them, and no other :—

“1. Are you the same person whose name appears as (A. B.) on the register of voters, now in force, for the county, riding, city or town of _____ (as the case may be.)

“2. Have you already voted, either here or elsewhere at this election, for the county, riding, city or town of _____ (as the case may be.)

“3. Have you the same qualification for which your name was originally inserted in the register of voters now in force, for the county, riding, city or town, of _____ (as the case may be, specifying in each case the particulars of the qualification as described in the register.)

“And if any person shall wilfully make a false answer to the questions aforesaid, he shall be deemed guilty of an indictable misdemeanor and shall be punished accordingly, and the returning officer, or his deputy, shall, if required on behalf of any candidate at the time aforesaid, administer an oath, or, in case of a person entitled by the laws of the Province to affirm, an affirmation, to any voter, the following form, that is to say :—

“You do swear (or affirm, according to the case) that you are the same person whose name appears as _____ on the register of voters now in force, for the county of _____ or riding, city or town of _____ as the

case may be,) and that you have not before voted, either here or elsewhere, at the present election, for the said county, (or riding, city or town, as the case may be,) and that you now have the qualification appearing in your name in the said register, so help you God. And no elector shall hereafter, at any such election, be required to take any oath or affirmation, except as aforesaid, either in proof of his freehold, or of his residence, age, or other qualification or right to vote, any law or statute to the contrary notwithstanding, and no person, claiming to vote at any such election, shall be excluded from voting thereat, except by reason of it appearing to the returning officer, or his respective deputy, upon putting such questions as aforesaid, or any of them, that the person so claiming to vote is not the same person whose name appears on such register as aforesaid, or that he has previously voted at the same election, or that he has not the same qualification for which his name was originally inserted in such register, or except by reason of such person refusing to take the said oath, or make the said affirmation, and to take or make the oath or affirmation against bribery, or any other oath or affirmation now required by law and not hereby dispensed with, and no scrutiny shall hereafter be allowed by or before any returning officer, with regard to any votes given or tendered at any election of a member or members to serve in any future Parliament, or laws, statute or usage to the contrary notwithstanding.

Amendment moved—
(Mr. Sherwood.)

“ Provided always, and be it, &c. That any person, whose name shall have been omitted from any register of votes, in consequence of the decision of the barrister who shall have revised the list, from which such register shall have been formed, may tender his vote at any election, at which such register shall be in force, stating at the time the name or names of the candidate or candidates for whom he tenders such vote, and the returning officer, or his deputy, shall enter upon the poll book every vote so tendered, distinguishing the same from the votes admitted and allowed at such election.

“ Provided always, and be it, &c. That upon petition to the House of Assembly complaining of an undue election, or return of any member or members to serve in parliament, any petitioner or any person defending such election and return, shall be at liberty to impeach the correctness of the register of voters in force at the time of such election by proving that in consequence of the decision of the barrister who shall have revised the lists of voters from which such register shall have been formed, the name of any person who voted at such election was improperly inserted or returned in such register, or the name of any person who tendered his vote at such election improperly omitted from such register, and the select committee appointed for the trial of such petition, shall alter the poll taken at such election according to the truth of the case, and shall report their determination thereupon to the House, and the House shall thereupon carry such determination into effect and the return shall be amended or the election declared void as the case may be and the register corrected accordingly, or such other order shall be made as to the House shall seem proper.

“ And be it, &c. That if any returning officer, barrister, township, city, or town clerk, or any person whatsoever shall wilfully contravene or disobey the provisions of this act or any of them, with respect to any matter or thing which such returning officer, barrister, township, city, or town clerk, or other person is hereby required to do, he shall, for such his offence, be liable to be sued in an action of debt in Her Majesty's Court of Queen's Bench in this Province, for the penal sum of five hundred pounds, and the jury before whom such action shall be tried may find their verdict for the full sum of five hundred pounds, or for any less sum which the said jury shall think it just he should pay for such his offence and the defendant in such action shall pay such penal sum so awarded with full costs of suit to the party who shall sue for the same; *Provided always,* that no such action shall be brought except by a person being an elector, or claiming to be an elector, or a candidate, or a member actually returned or other party aggrieved; *Provided also,* that the remedy hereby given against the returning officer shall not be construed to supersede any remedy or action against him according to the law now in force.

“ And be it, &c. That all writs to be issued for the election of members to serve in all future Parliaments, and all mandates, precepts, instruments, proceedings and notices consequent upon such writs, shall be, and the same are hereby authorised to be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this act into effect.

“ And be it, &c. That if a new election shall take place for any member or members after the passing of this act, but before the day at and from which the registers of voters to be first made by virtue of this act shall begin to be in force, such persons shall be entitled to vote in the election of members to serve for any

Amendment moved—
(Mr. Sherwood.)

county, riding, city or town as would be entitled to be inserted in the respective lists of voters for the same directed to be made under this act, if the day of election had been the day for making out such respective lists, although their names had not been registered according to the provisions of this act. And that every such new election shall be ordered and conducted under and subject to the provisions contained in the first clause of this act and of such other laws of this Province relative to elections as still remain in force; *Provided always*, that in every such case four days shall be allowed for taking the polls, anything in this act contained to the contrary thereof notwithstanding.

“ SCHEDULE REFERRED TO.

[“ No. 1.]

“ *Notice of the making out the Lists to be given by the Township, City or Town Clerks.*

“ I hereby give notice, that I shall on or before the last day of April, make out a list of all persons entitled to vote in the election of a member or members for the county of _____ (or for the riding, city, or town of _____ as the case may be) in respect of property situate within this township, (or city or town,) and all persons so entitled are hereby required to deliver or transmit to me, on or before the twenty-fifth day of April in this year, a claim in writing containing their christian name and surname—their place of abode—the nature of their qualification, and the number of the lot, concession, or part of lot and concession, or other like description, and the quantity of land as near as may be, together with the name of the tenant occupying the same, if it be leased, to any tenant. Persons omitting to deliver or transmit their claim will be excluded from the register of voters for this county, (riding, city or town, as the case may be,) (in subsequent years after 1840, add the following words:) but persons whose names are now on the register are not required to make a fresh claim, so long as they retain the same qualification and continue in the same place of abode, as described in the register.

(“ Signed)

“ Township, City or Town Clerk,
[as the case may be.]

[“ No. 2.]

“ *Notice of Claim to be given to the Overseer.*

“ I hereby give you notice, that I claim to be inserted in the list of voters for the county of _____ (or for the riding as the case may be,) and that the particulars of my abode and qualification are stated below, dated the _____ day of _____ in the year _____

(“ Signed)

(Claimant's name)

“ Place of abode,
(as it may be.)

“ Nature of qualification for a county vote:—Freehold house, or land—store or warehouse, held by conveyance three months, registered—or by conveyance and twelve months possession, or receipt of the rents and profits to my own use, or by grant from the Crown, or by descent—or by devise or by marriage (as the case may be, giving such description of the property by lot, concession, number of acres, or other description as may serve to identify it.)

“ Where situate—in the township of _____ (or riding of _____
the case may be.)

[" No. 3.]

Amendment moved—
(Mr. Sherwood.)

"County of _____ to wit: } The list of persons entitled to vote in the election of a member
(or riding as the case may be.) } or members of the House of Assembly for the county of
(or riding _____ as the case may be) in respect of property situate within the township of
(or city, or town of _____ as the case may be.)

Christian name and surname of each voter at full length.	Place of abode.	Nature of qualification.	Lot or part of Lot, Concession, No. of Acres.
Adams, John	Township of Markham	Freehold, land held by conveyance, three months registered.	Lot No. 5, 3rd Con. 200 Acres.
Betts, James	City of Toronto.	Freehold, land held by grant from the Crown.	Lot No. 10, 1st Con. 200 Acres.
Bell, Robert	Township of Markham	Freehold, house and land, held by conveyance and twelve months' possession.	East $\frac{1}{2}$ No. 7, 3rd Con. 100 Acres.
Cummings, William	Township of Vaughan	Freehold, land held by devise.	North part of No. 11, 10th Con. 25 Acres.

(" Signed)

Township Clerk.

[" No. 4.]

"Notice of Objection to be given to the Township, City, or Town Clerks.

"To the Clerk of the township of _____ (or the city, or town of _____ as the case may be.)

"I hereby give you notice, that I object to the name of _____ being retained in the list of voters for the county of _____ (or for the riding, city or town of _____ as the case may be.)

"Dated the _____ day of _____ in the year _____

(" Signed)

Place of abode.

[" No. 5.]

"Notice of objection to parties inserted in the list.

"To Mr.

"I hereby give you notice, that I object to your name being retained in the list of voters for the county of _____ (or for the riding, city, or town of _____ as the case may be), and that you will be required to prove your qualification at the time of the revising of the said list.

"Dated the _____ day of _____ in the year _____

(" Signed.)

"Place of abode.

Amendment moved—
(Mr. Sherwood.)

[“ No 6.]

“ *List of persons objected to, to be published by the Township, City, or Town Clerks.*

“ The following persons have been objected to, as not being entitled to have their names retained in the lists of voters for the county of _____ (or for the riding, city or town of _____ as the case may be):—

Christian name and surname of each person objected to.	Place of abode.	Nature of the supposed qualification.	Lot, or part of Lot, Concession, number of acres, &c.
Adams, John	Township of Markham	Freehold land, held by conveyance, three months registered.	Lot No. 5, 3d concession, 200 acres, township of Markham.
Cummings, William	Township of Vaughan,	Freehold land, held by devise.	North part of No. 11, 10th concession, 25 acres, township of Markham.

(“ Signed,)

(or city, or town of _____)

“ Clerk of the township of _____ as the case may be.)

[“ No. 7.]

“ *Notice of claim to vote in a city or town.*

“ To the city, or (town,) clerk of the city, [or town,] of _____

“ I hereby give you notice, that I claim to have my name inserted in the list made by you of persons entitled to vote in the election of a member for the city, (or town,) of _____ and that my qualification consists of a dwelling house and lot of ground, situate on _____ street, (or lane, as the case may be), which I own as a freeholder, by conveyance, three months' registered, (or by conveyance, and twelve months possession and receipt of the rents and profits, to my own use, or by grant from the crown, or by descent, or by devise, or by marriage, as the case may be), or _____ which I occupy as tenant to _____ the landlord thereof.

“ Dated the _____ day of _____ in the year _____

(“ Signed,)

“ Place of abode. _____

[“ No. 8.]

“ *The list of persons entitled to vote in the election of a member for the city (or town) of _____ in respect of a dwelling house and lot of ground, owned or occupied within the said city (or town.)*

Christian name and surname of each voter, at full length.	Nature of qualification.	Place of abode.	Street, lane, or other place in this City or Town, where the property is situate.
Atkins, John Bates, Thomas	Dwelling house, rented Dwelling house, freehold.	York Street, Township of York,	York Street. Bay Street,

(“ Signed,)

“ City or town clerk.”

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

Division on amendment

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Ferrie, Gamble, Hunter, Jarvis, Kearnes, Malloch, Manahan, Mathewson, McDonell of Northumberland, McLean, Murney, Powell, Sherwood, Thomson*—19. Yeas—19.

NAYS.

Messrs. *Aikman, Armstrong, Caldwell, Chisholm of Glengarry, Cook, Dellar, Duncombe, Gowan, Lewis, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Robinson, Rykert, Shade, Shaver, Small, Thorburn, Wickens, Woodruff*—26. Nays—26.

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

Amendment lost—majority 7.

In amendment—Mr. Robinson, seconded by Mr. Murney, moves, that the bill do not now pass, but that it be re-committed to a committee of the whole House forthwith, for the purpose of amending the same; by expunging all after the word “provided” in the preamble, and inserting the following :—

Another amendment moved, (Mr. Robinson)

“*Be it therefore enacted &c.* That it shall and may be lawful for the Governor or person administering the government of this Province, to authorize the returning officer at an election for a member to represent in Parliament any county or riding in this Province containing more than townships, to hold the election in two or more places in any such county or riding, as it may be deemed necessary and for the convenience of the electors; *Provided always* that the same returning officer shall preside in succession at all the places in any county or riding where it may be deemed necessary to hold a poll, and give ^{days} notice before the commencement of any election stating the different times and places where he intends to preside as returning officer as aforesaid.”

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

Division on amendment

YEAS.

Messrs. *Burwell, Cartwright, Gamble, Hotham, Jarvis, Kearnes, McDonell, of Northumberland, McLean, Murney, Powell, Robinson, Shade, Wickens*—13. Yeas—13.

NAYS.

Messrs. *Aikman, Armstrong, Boulton, Burritt, Chisholm of Glengarry, Cook, Dellar, Duncombe, Ferrie, Gowan, Hunter, Lewis, Malloch, Manahan, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Moore, Morris, Parke, Rykert, Shaver, Sherwood, Small, Thomson, Thorburn, Woodruff*—29. Nays—29.

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

Amendment lost—majority 16.

In amendment—Mr. Cartwright, seconded by Mr. Boulton, moves, that the bill do not now pass, but that it pass this day six months.

Another amendment—(Mr. Cartwright.)

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

Division on amendment

YEAS.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cartwright, Gamble, Hotham, Hunter, Jarvis, Kearnes, Malloch, Mathewson, McCrae, McDonell of Northumberland, McLean, Murney, Powell, Robinson, Shade, Sherwood, Solicitor General, Wickens*—23. Yeas—23.

N A Y S .

Nays—25.

Messrs. *Armstrong, Burrill, Chisholm* of Glengarry, *Cook, Deltor, Duncombe, Ferric, Gowan, Lewis, Manahan, McCargar, McDonell* of Stormont, *McIntosh McKay, McMicking, Merritt, Moore, Morris, Parke, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff*—25.

Amendment lost—majority 2.

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

Another amendment—(Mr. Rykert.)

In amendment—Mr. Rykert, seconded by Mr. Thorburn, moves that the bill do not now pass, but that the following clause be added, as a rider :—

“*And be it further enacted, by the authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to authorize the holding of elections in more than one place, in such counties and ridings as shall be composed of less than five townships.*”

Division on amendment

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

Y E A S .

Yeas—16.

Messrs. *Bockus, Chisholm* of Glengarry, *Cook, Deltor, Duncombe, Manahan, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Woodruff*—16.

N A Y S .

Nays—34.

Messrs. *Aikman, Armstrong, Attorney General, Boulton, Burrill, Burwell, Caldwell, Cartwright, Chisholm* of Halton, *Gamble, Gowan, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Mathewson, McCargar, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McKay, McLean, Morris, Murney, Powell, Richardson, Robinson, Shade, Sherwood, Solicitor General, Thomson, Wickens*—34.

Amendment lost—majority 18.

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

Another amendment—(Mr. Richardson.)

In amendment—Mr. Richardson, seconded by Mr. Aikman, moves that the bill do not now pass, but that it pass this day three months.

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—25.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cartwright, Gamble, Hotham, Hunter, Jarvis, Kearnes, Malloch, Mathewson, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McLean, Murney, Powell, Richardson, Robinson, Shade, Solicitor General, Wickens*,—25.

N A Y S .

Nays—27.

Messrs. *Armstrong, Bockus, Burrill, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Deltor, Duncombe, Ferric, Gowan, Lewis, Manahan, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Morris, Parke, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff*,—27.

Amendment lost—majority 2.

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

Another amendment—(Mr. Morris.)

In amendment—Mr. Morris, seconded by Mr. Parke, moves that the bill do not now pass, but that it be amended by expunging the words “two,” in the 7th line of the third clause, and inserting the words “three,” in lieu thereof; and further, that the words “and third,” be inserted after the word “second,” in the 9th line of the said clause, and the word “second,” in the last line of last clause be expunged, and the word “third,” inserted.

Division on amendment

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

Y E A S .

Yeas—25.

Messrs. *Bockus, Cartwright, Chisholm*, of Halton, *Chisholm* of Glengarry, *Duncombe, Gamble, Jarvis, Manahan, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McIntosh, McKay, McMicking, Merritt, Moore, Morris, Murney, Parke, Powell, Rykert, Shaver, Sherwood, Thorburn, Woodruff*—25.

N A Y S .

Messrs. *Aikman, Armstrong, Attorney General, Burritt, Caldwell, Cook, Dellar, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Matthewson, McCrae, McDonell* of Stormont, *McLean, Richardson, Robinson, Solicitor General, Small, Thomson, Wickens*—24. Nays—24.

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

Amendment carried—majority 1.
York bridge bill read 3d time and passed.

Pursuant to the order of the day, the York Bridge bill was read the third time and passed.

Mr. Merritt, seconded by Mr. Ferrie, moves that the bill be entitled "An Act to Incorporate certain persons under the title of the York Bridge Company."

Title.
Bill sent to Leg. Council

Which was carried, and Messrs. Merritt and Ferrie were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council and to request their concurrence thereto.

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

Petitions read :

Of B. B. Ronney, J. P., and one hundred and forty-four others, of the township of Seymour, in the district of Newcastle, praying for certain alterations in the law of treason.

B. B. Ronney and 144 others.

Of Thomas S. Kennedy, and one hundred and two others, praying the same.

T. S. Kennedy and 102 others.

And of Henry Edgcombe Nicolls, late a Lieutenant in the Provincial Marine, praying for remuneration for his many services during the late rebellion.

H. E. Nicolls.

Pursuant to the order of the day, the Election bill, as amended, was read the third time.

Election bill read third time.

On the question for passing the bill,

On question for passing

In amendment—Mr. Cartwright, seconded by Mr. Sherwood, moves that the bill do not now pass, but that it be recommitted on Monday, the 20th day of January, for the purpose of being amended.

Amendment moved—(Mr. Cartwright.)

On which the yeas and nays were taken as follows :

Division on amendment

Y E A S .

Messrs. *Aikman, Boulton, Burwell, Caldwell, Cartwright, Chisholm* of Halton, *Gamble, Hotham, Hunter, Kearnes, Mathewson, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McLean, Richardson, Rykert, Shade, Sherwood, Wickens*—20. Yeas—20.

N A Y S .

Messrs. *Armstrong, Attorney General, Bockus, Burritt, Chisholm* of Glengarry, *Cook, Dellar, Duncombe, Ferrie, Jarvis, Lewis, Manahan, McCargar, McDonell* of Stormont, *McIntosh, McKay, McMicking, Merritt, Moore, Morris, Murney, Parke, Robinson, Shaver, Small, Solicitor General, Thomson, Thorburn, Woodruff*—29. Nays—29.

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

Amendment lost—majority 9.

In amendment—Mr. Thorburn, seconded by Mr. Rykert, moves that the bill do not now pass, but that the following be added as a rider: *Provided always*, that nothing in this Act shall extend, or be construed to extend, that in any county or riding not containing more than four townships, that the distance for holding Elections therein, at one and the same time, shall not exceed seven miles apart.

Another amendment—(Mr. Thorburn.)

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

Division on amendment

Y E A S .

Messrs. *Chisholm* of Glengarry, *Cook, Dellar, Duncombe, McMicking, Merritt, Parke, Rykert, Shaver, Thorburn, Woodruff*,—11. Yeas—11.

N A Y S .

Nays—33. Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Chisholm of Halton, Gamble, Gowan, Hotham, Kearnes, Lewis, Manahan, Mathewson, McCargar, McCrae, McDonnell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, Moore, Morris, Murney, Powell, Richardson, Robinson, Shade, Small*—33.

Amendment lost—majority 22. The question of amendment was decided in the negative by a majority of twenty-two.

Division on original question. On the original question the yeas and nays were taken as follows:--

Y E A S .

Yeas—22. Messrs. *Armstrong, Bockus, Burrill, Chisholm of Glengarry, Cook, Dettor, Duncombe, Ferrie, Gowan, Manahan, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Shaver, Small, Woodruff*—22.

N A Y S .

Nays—23. Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cartwright, Chisholm of Halton, Gamble, Hotham, Hunter, Jarvis, Kearnes, Lewis, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McLean, Murney, Powell, Richardson, Robinson, Rykert, Shade, Sherwood, Solicitor General, Thorburn, Wickens*—23.

Bill lost—majority 6. The question was decided in the negative by a majority of six.

On motion of Mr. Gamble, seconded by Jarvis,

Sel. com. to draft bill on resolution for remunerating J. Kidd. *Ordered*--That the resolution of this House on the petition of John Kidd, be referred to a select committee, to draft and report a bill pursuant thereto, and that the said committee do consist of Messrs. Robinson and Parke.

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

Petition of A. Geddes and others referred to supply. *Ordered*—That the petition of Andrew Geddes and others, be referred to a committee of the whole on supply, tomorrow.

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

Petition of D. McDonell and 104 others referred to select committee. *Ordered*—That the petition of Duncan McDonell, Esquire, and others, (in behalf of Mill owners,) be referred to a select committee composed of Messrs. Sherwood, Shaver and McDonell of *Glengarry*, to report thereon by bill or otherwise.

Notices :

Of address to Governor General for return of suits of Canada Company ordered. Mr. Thorburn gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency that he will be pleased to cause to be laid before this House a statement of the number of suits brought in the Court of Chancery since its commencement shewing the progressive increase of such suits in each year the number of suits actually adjudicated upon, together with the costs taxed and allowed on each suit and also the amount of fees paid to the Register on each suit.

Of bill to register electors. Mr. Thomson gives notice that he will on to-morrow, move for leave to bring in a bill to provide for the Registration of persons entitled to vote at Elections.

Of bill to tax Dalhousie District. Mr. McKay gives notice that he will on to-morrow, move for leave to bring in a bill to authorize the levying of an additional assessment of one penny in the pound upon all ratable property in the District of Dalhousie, for the erection of a Gaol and Court House therein.

Of bill to regulate manner of holding elections. Mr. Morris gives notice that he will, on to-morrow, move to place on the order of the day, the bill to regulate in future the manner of conducting Elections.

Of address to Governor General to appoint commissioners to revise the statutes. Mr. Gamble gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint a commission during the recess for the purpose of revising the Statutes of this Province, and that this House will make good the sum requisite for defraying the expenses incurred in carrying the same into effect.

Mr. Burwell, from the committee to wait on His Excellency the Governor General, with the address of this House for information respecting the bill granting land to Colonel FitzGibbon, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address on bill granting land to Col. FitzGibbon, report answer.

GENTLEMEN,

I will return, by message, a reply to your address

Answer.

Mr. Shade, from the committee to wait on His Excellency the Governor General, with the address of this House, for information respecting certain medals, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address respecting certain medals report answer.

GENTLEMEN,

In reply to the address of the House of Assembly, I will return an answer by message.

Answer.

Mr. Shade, from the committee to wait on His Excellency the Governor General, with the address of this House, for certain returns from the Canada Company, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address for return from Canada Company, report answer.

GENTLEMEN,

In reply to the address of the House of Assembly, I will return an answer by message.

Answer.

Pursuant to the order of the day, the bill for the disposal of the Clergy Reserves, was read the second time.

Clergy Reserves bill read second time and committed.

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

Mr. Gowan in the chair.

The House resumed.

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

Progress reported—sit again to-morrow.

On the question for receiving the report,

On receiving report,

In amendment—Mr. Burwell, seconded by Mr. Shade, moves that the report be not received, but that the subject of the Clergy Reserves be referred to a committee consisting of Messrs. Cartwright, Sherwood, Boulton and Murney, and that the said committee be instructed to examine the 30th, 31st, 32d, and 42d clauses of the Constitutional Act, (31st Geo. III, chap. 31.) and to report to this House if, in their opinion the duties of Her Majesty's Ministers will not require them to submit the bill of last Session for the disposition of the Clergy Reserves, to both Houses of the Imperial Parliament, preparatory to Her Majesty's assent being requested, or any declarations being made respecting the same.

Amendment moved.

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

Division on amendment

YEAS.

Messrs. Boulton, Burwell, Cartwright, Gowan, Robinson, Shade—6.

Yeas—6.

N A Y S.

Nays--32.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burritt, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Ferrie, Hunter, Lewis, Malloch, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Parke, Richardson, Rykert, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—32.

Amendment lost—
majority 26.
Report received.

The question of amendment was decided in the negative by a majority of twenty-six, and the report was received.

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

Clergy Reserves bill
first item to-morrow.

Ordered—That the committee of the whole on the Clergy Reserve bill, be the first item on the order of the day to-morrow, after receiving reports.

Adjourned.

FRIDAY, 10th January, 1840.

The House met.

The minutes of yesterday were read.

Petitions read:

G. Longley and 45
others.

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

Of George Longley and forty-five others, of the town of Brockville and its vicinity, praying for an increase of the capital stock of the Commercial Bank of the Midland District.

C. A. Low and 121
others.

Of Charles A. Low, J. P., and one hundred and twenty-one others, of the Eastern District and District of Ottawa, praying for a further grant of money to improve the post road leading from Cornwall to L'Orignal.

D. McDonell, of Green-
field.

Of Duncan McDonell, Esq. of Greenfield, in the Eastern District, praying to be reimbursed a sum of money expended by him in improving the post road from Cornwall to L'Orignal, over and above the sum granted for the same.

T. M. Taylor.

Of Thomas Moore Taylor, of the town of Chatham, praying to be naturalized.

L. Davenport.

Of Lewis Davenport, of the town of Sandwich, praying the same.

W. Gamble and 70
others.

Of William Gamble, and seventy others, of the city of Toronto and vicinity, praying for the incorporation of a company to construct a harbor at the mouth of the River Humber.

Trustees of Ancaster
Literary Institution.

Of the Trustees of the Ancaster Literary Institution, praying for pecuniary assistance, and for an annual salary for the teacher.

Æneas Bell.

And of Æneas Bell, Chief Messenger to the House of Assembly, praying that an allowance may be made to his wife for keeping in order the rooms in the Parliament House.

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

Petition of Æ. Bell
referred to committee
on contingencies.

Ordered—That the petition of Æneas Bell be referred to the committee on contingencies.

Sel. com. on petition of
Baines and Thornhill
present report and ad-
dress on their behalf.

Mr. McKay, from the select committee, to which was referred the petition of Thomas Baines and R. H. Thornhill, presented a report and the draft of an address to His Excellency the Governor General, which were received.

The report was read.

Report—(See Appendix.)

The address was read the first time.

Address read.

Ordered—That the address to His Excellency the Governor General, on behalf of Messrs. Baines and Thornhill, be read a second time to-morrow.

2d reading to-morrow.

Mr. Rykert, from the committee to wait on His Excellency the Governor General, with the address of this House for certain information relative to the claim of the heirs of the late Honorable Colonel Claus, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address on claim of Col. Claus, report answer.

GENTLEMEN,

I will communicate to the House, by message, my answer to this address.

Answer.

Mr. Speaker reported that the Clerk of the Honourable the Legislative Council had yesterday brought down from that Honourable House, a bill entitled "An Act to establish a College at Kingston, by the name and style of the University of Queen's College," which that Honourable House had passed, and requested the concurrence of this House thereto.

Speaker reports Queen's College bill sent down from Leg. Council.

The bill sent down by the Honourable the Legislative Council entitled "An Act to establish a College at Kingston, by the name and style of the University of Queen's College, was read the first time.

Queen's College bill (L. C.) read first time.

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

2d reading to-morrow.

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

Ordered—That two hundred and fifty copies of the bill to establish a college at Kingston, by the name and style of "The University of Queen's College," be printed for the use of members.

250 copies of bill to be printed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill for the disposal of the Clergy Reserves.

Com. of whole again on Clergy Reserves bill.

Mr. Malloch in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

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

Progress reported—sit again to-morrow.

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

Division on receiving report.

Y E A S .

Messrs. *Armstrong, Attorney General, Burrill, Chisholm of Halton, Cook, Dellar, Duncombe, Ferris, Hunter, Hotham, Jarvis, Kearnes, Lewis, Malloch, Manahan, McCargar, McDonell of Glengarry, McDonell, of Northumberland, McDonell of Stormont, McKay, McLean, Morris, Richardson, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens.*—30.

N A Y S .

Messrs. *Alicman, Bockus, Boulton, Burrill, Caldwell, Cartwright, Chisholm of Glengarry, Gamble, Gowan, McIntosh, McMicking, Merritt, Moore, Parke, Powell, Robinson, Rykert, Thorburn, Woodruff.*—19.

Carried—majority 11.

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

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

Com. of whole on Clergy Reserves bill to be first item to-morrow.

Ordered—That the committee of the whole on the Clergy Reserve bill, and His Excellency's Messages on the same subject be the first item on the order of the day to-morrow, after receiving reports.

Motion to adjourn daily at 4, for two hours.

Mr. Hotham, seconded by Mr. Shade, moves that on and after Monday next, this House do adjourn daily from the hour of four until the hour of six in the afternoon, except that when the House adjourns this day, it shall adjourn until the Monday following.

Division.

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

Y E A S .

Yeas—20.

Messrs. *Aikman, Bockus, Burrill, Cartwright, Chisholm* of Halton, *Detlor, Ferrie, Hotham, Kearnes, McDonell* of Northumberland, *McKay, Merritt, Morris, Powell, Richardson, Rykert, Sherwood, Small, Solicitor General, Thorburn*—20.

N A Y S .

Nays—27.

Messrs. *Armstrong, Boulton, Caldwell, Chisholm* of Glengarry, *Cook, Duncombe, Gamble, Gowan, Hunter, Jarvis, Lewis, Malloch, Manahan, McCargar, McDonell* of Glengarry, *McDonell*, of Stormont, *McIntosh, McLean, McMicking, Moore, Murney, Parke, Robinson, Shaver, Thomson, Wickens, Woodruff*—27.

Lost—majority 7.

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

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

Members added to com. on message on Commissioner of Crown Lands.

Ordered—That Messrs. Boulton, Gamble and Rykert, be added to the committee to whom were referred the message of His Excellency the Governor General, and the accompanying accounts of the Commissioners of Crown Lands.

Speaker reports message from Leg. Council Bill to restrain introduction of spirituous liquors in gaols sent down amended.

Mr. Speaker reported that the Clerk to the Honourable the Legislative Council had brought down from than Honourable House, a message, and the bill entitled "An Act to restrain the introduction of spirituous liquors into the common gaols of this Province," to which that Honourable House had made some amendments and requested the concurrence of this House thereto.

Message.

The message was read as follows:—

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }
Ninth day of January, 1840. }

Amendments to bill to restrain introduction of spirituous liquors into gaols read first time.

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to restrain the introduction of Spirituous Liquors into the Common Gaols in this Province," were read the first time, as follows :

IN THE TITLE :

Amendments.

Line 1—Expunge "restrain," and insert "prevent."

IN THE BILL :

Press, 1, Line 1,—Expunge "restrain," and insert "prevent."

" Line 14,—After the word "as" insert "have been or"—after the word "shall" insert "be hereafter"—after the words "to time" expunge "be"—after the word "by" expunge to the word "every," in the next line, and insert the word "law."

Press 1, Line 18,—After “and” insert “be.”

Amendments.

“ Line 20,—After “any” expunge “two Justices” and insert “one Justice.”

“ “ After “Peace” insert “with any offence”—after “such” expunge “Justices” and insert “Justice.”

“ Line 24,—After “personally” expunge “the” and insert “any two”—after “Justices” insert “of the Peace for the district where the offence is alleged to have been committed.”

Press 2, Line 1,—After “person” expunge “and bringing him before them.”

“ Line 2,—After “or” insert “any one of”—after “if” expunge “they” and insert “he.”

“ Line 14,—After “Justices” expunge “issuing the summons for his attendance” and insert “assembled to try the offence.”

Press 3, Line 1,—After “correction” insert “of the district.”

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Tenth day of January, 1840. }

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

2d reading to-morrow.

Adjourned.

SATURDAY, 11th January, 1840.

The House met.

The minutes of yesterday were read.

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

Petitions brought up:

By Mr. Manahan, the petition of Robert Francis and George Hay, contractors on the lower section of the Trent Canal.

R. Francis and G. Hay

By Mr. Morris, the petition of Messrs. Hooker and Henderson, and nineteen others, of the county of Grenville.

Hooker & Henderson,
and 19 others.

By Mr. Bockus, the petition of Robert Barclay & Co., contractors for improving the River Trent; and the petition of Adam H. Meyers, and one hundred and seventy-one others residing at and near the River Trent.

R. Barclay & Co.
A. H. Meyers, and 171
others.

And by Mr. Sherwood, the petition of James Cull, civil engineer; and the petition of Henry Jessopp, of the City of Toronto.

Jas. Cull.
H. Jessopp.

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

Petitions read:

Of John Secord, J. P., and forty three others of the townships of Binbrook and Glanford in the district of Gore, praying for aid to build a bridge,

J. Secord, and 43 others

Of John Fennings Taylor, of the City of Toronto, praying for a suitable remuneration for his services as clerk to the several commissions for the trial of state prisoners in the districts of London and Niagara.

J. F. Taylor.

And of Wm. M. Ball, and fifty-nine others, praying for a general tax upon dogs.

W. M. Ball.

Mr. Manahan, seconded by Mr. Chisholm of *Glengarry*, moves that the petition of Robert Francis and George Hay be now read, and that the thirty-first rule of this House be dispensed with in this respect.

R. Francis and G. Hay

Which was carried, and the petition of Robert Francis and George Hay, contractors on the lower section of the Trent Canal, praying to be paid the full amount due for work performed by them, was read.

R. Barclay & Co.

Mr. Bockus, seconded by Mr. Manahan, moves that the petition of Robert Barclay & Co., and Adam H. Meyers and others, be now read and that the 31st rule of this House be dispensed with for that purpose.

Which was carried, and the petition of Robert Barclay & Co., contractors for improving the River Trent, praying remuneration for losses sustained by them upon their contract ;

A. H. Meyers, and 171 others.

And the petition of Adam H. Meyers, and one hundred and seventy-one others, residing near the River Trent, praying for an investigation into the cause of the suspension of the works on said river, the amounts raised by debenture for its improvement, and the expenditure of the same, were read.

On motion of Mr. Manahan, seconded by Mr. Small,

Petitions referred :
Of R. Francis and G. Hay, to com. on report on improvement of Trent.

Ordered—That the petition of Robert Francis and George Hay, be referred to the select committee on the report of commissioners on the improvement of the River Trent.

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

Of J. Secord and 43 others, to com. on roads and bridges.

Ordered—That the petition of John Secord, J. P. and forty-three others, inhabitants of the townships of Binbrook and Glanford, be referred to the committee on roads and bridges.

On motion of Mr. Aikman, seconded by Mr. Caldwell,

Of J. F. Taylor, to committee of supply.

Ordered—That the petition of John F. Taylor, be referred to a committee of the whole on supply.

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

Of W. M. Ball, to select committee.

Ordered—That the petition of William M. Ball, Esquire, and others be referred to a select committee to be composed of Messrs. Rykert and Parke, to report thereon by bill or otherwise.

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

Of C. A. Low and 121 others, to sel. com.

Ordered—That the petition of Charles A. Low, and one hundred and twenty-one others, inhabitants of the Eastern and Ottawa Districts, be referred to a select committee consisting of Messrs. McKay, McDonell, of Glengarry, and Hotham.

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

Of R. Barclay & Co., to com. on report on improvement of Trent.

Ordered—That the petitions of Robert Barclay & Co., and of Adam Henry Meyers and others, be referred to the select committee on the report of Commissioners on the improvement of the River Trent.

On motion of Mr. McLean, seconded by Mr. McDonell of Glengarry.

Of D. McDonell, Esq. of Greenfield.

Ordered—That the petition of Duncan McDonell, Esquire, be referred to a select committee, consisting of Messrs. McKay, McDonell of Stormont, and Hotham.

Notice of address to His Exc'y for statement of expense of building bridge over the river Maitland by Canada Co.

Mr. Shade gives notice that he will on Monday next, move that an humble Address be presented to His Excellency the Governor General, requesting His Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a statement in detail of the sums of money expended by the Canada Company, in erecting a Bridge over the River Maitland, near Goderich, as also for cutting down the bank of the River, and making the approaches thereto.

Sel. com. on petition of Rev. G. Archbold and others, present report.

Mr. McLean, from the select committee to which was referred the petition of the Rev. George Archbold and others, presented a report, which was received and read.

Report—(See Appendix.)

Com. on roads and bridges, report statute labour bill.

Bill read.

Mr. Aikman, from the committee on Roads and Bridges, to which was referred the Bill to compel persons to perform statute labour, reported the Bill.

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

Ordered—That the bill be read a second time on Monday next. 2d reading Monday.

Mr. Sherwood, from the select committee on Banking, to which was referred the petition of the Honourable J. Elmsley and others, reported the draft of a bill. Com. on petition of Hon. J. Elmsley and others, report Farmers' Bank bill.
Bill read.
2d reading Monday.

The report was received and the bill was read the first time.

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

Mr. Detlor, seconded by Mr. Manahan, moves that Mr. Cartwright have leave of absence, for ten days, from Monday next. Leave of absence to Mr. Cartwright for ten days

Carried.

Pursuant to the order of the day, the House was again put into a committee of the whole, on the bill for the disposal of the Clergy Reserves. Com. of whole again on Clergy Reserves bill.

Mr. McMicking in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

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

Ordered—That the Clergy Reserve bill be the first item on the order of the day for Monday, after receiving reports. Clergy Reserves bill to be the first item on Monday.

Mr. Cartwright, from the select committee to which was referred the subject of addressing Her Majesty, relative to the Union of Upper and Lower Canada, reported the draft of an Address to Her Majesty. Sel. com. on addressing Her Majesty on union report address.

The report was received, and the address was read the first time. Address read.

On the question for the second reading of the address, on Monday next.

In Amendment—Mr. Cartwright, seconded by Mr. Bockus, moves that the address on the subject of the Union, be read a second time forthwith.

Which was carried, and the address was read the second time. Address read 2d time and committed.

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

Mr. Duncombe in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House. Address reported amended.

The report was received.

On the question for the third reading of the address on Monday next, the yeas and nays were taken as follows : Division on third reading Monday.

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Caldwell, Cartwright, Dellor, Gamble, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, McDonell of Glengarry, McLean, Powell, Richardson, Robinson, Rykert, Shade, Sherwood, Solicitor General, Wickens*—27. Yeas—27.

NAYS.

Messrs. *Chisholm of Glengarry, Cook, Duncombe, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Shaver, Small, Thorburn, Woodruff*—16. Nays—16.

The question was carried in the affirmative by a majority of eleven, and the address was ordered to be engrossed and read a third time on Monday next. Carried—majority 11.

- Com. of whole again on bill to amend the act respecting foreign aggressions.
- Pursuant to order of the day, the House was again put into a Committee of the whole, on the bill to amend the Act to protect the inhabitants of the Province from foreign aggressions.
- Mr. Gowan in the chair.
- The House resumed.
- Bill reported without amendment.
- The chairman reported that the committee had agreed to the bill without a amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading Monday.
- Ordered*—That the bill be engrossed and read a third time on Monday next.
- Com. of whole again on bill respecting enticing soldiers to desert.
- Pursuant to the order of the day, the House was again put into a committee of the whole, on the bill to amend the law for the punishment of persons enticing soldiers to desert.
- Mr. Mathewson in the chair.
- The House resumed.
- Bill reported without amendment.
- The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading Monday.
- Ordered* That the bill be engrossed, and read a third time on Monday next.
- On motion of Mr. Morris, seconded by Mr. Bockus.
- Address to Governor General for minutes of King's and U. C. College Council ordered.
- Ordered*—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, copies of the Minutes of the Council of King's College, for the year 1839, together with the several reports of the committee of the Council during the same period; and that Messrs. Malloch and Cook, be a committee to draft and report the same, and that the thirty-first rule of this House be dispensed with for that purpose.
- Adjourned.

MONDAY, 13th January, 1840.

The House met.

The minutes of Saturday were read.

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

By Mr. Chisholm of *Glengarry*, the petition of Ewen McDonald, and three hundred and fifty three others, of the Township of Lochiel, in the county of *Glengarry*.

And by Mr. Shade, the petition of F. G. Millar, and one hundred and thirty others, of the townships of *Waterloo* and *Woolwich*, in the District of *Gore*.

Pursuant to the order of the day, the bill to amend the law relating to foreign aggressions, was read the third time and passed.

Mr. Solicitor General, seconded by Mr. Malloch, moves that the bill be entitled "An Act to alter and amend an act passed in the first year of Her Majesty's reign, entitled, 'An Act to protect the inhabitants of this Province against lawless aggressions from subjects of foreign countries at peace with Her Majesty.'"

Which was carried, and Messrs. Solicitor General and Malloch were ordered by the Speaker to carry the bill up to Honourable the Legislative Council, and to request their concurrence thereto.

Petitions brought up:

E. McDonald and 353 others.

F. G. Millar and 130 others.

Bill respecting foreign aggressions read third time and passed.

Title

Bill sent to Leg. Council

Pursuant to the order of the day, the bill to amend the law for the punishment of persons for enticing soldiers or sailors to desert, was read the third time and passed. Bill respecting enticing soldiers to desert, read 3d time and passed.

Mr. Solicitor General, seconded by Mr. Malloch, moves, that the bill be entitled, "An Act to repeal an act passed in the forty fourth year of the reign of His late Majesty King George the Third, entitled "An Act for the exemplary punishment of all and every person and persons, who shall seduce or attempt to seduce, or aid or assist, or attempt to aid or assist any soldier to desert Her Majesty's service, or who shall harbour, conceal, receive or assist any deserter from such service, and to make further provision for the punishment of such offenders. Title.

Which was carried, and Messrs. Solicitor General and Malloch were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to order of the day, the address to Her Majesty on the subject of the contemplated Union of Upper and Lower Canada was read the third time. Address to Her Majesty on union read 3d time.

On the question for passing the address, On question for passing.

In amendment—Mr. Merritt, seconded by Mr. McDonell of Stormont, moves that the address do not now pass, but that the following be added : Amendment moved—(Mr. Merritt.)

"That the Constitutional Act be so amended as to empower the Provincial Legislature, to originate duties, or reduce them from time to time as they may deem necessary, and advisable, subject however to restrictions, similar to those of the 42d section of 31st Geo. III, chap. 31, respecting certain local acts."

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

YEAS.

Messrs. Aikman, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Manahan, McCargan, McDonell of Stormont, McKay, McMicking, Merritt, Moore, Parke, Shaver, Small, Thorburn, Woodruff—17. Yeas—17.

NAYS.

Messrs. Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Elliott, Gowan, Holham, Hunter, Lewis, Malloch, McCrae, McLean, Morris, Powell, Richardson, Robinson, Rutlan, Rykert, Shade, Sherwood, Solicitor General, Wickens—24. Nays—24.

The question of amendment was decided in the negative, by a majority of seven Amendment lost—majority 7.

In amendment—Mr. Sherwood seconded, by Mr. Rykert, moves that the address do not now pass but that it be re-committed for the purpose of stating the amount of qualification to be equal to that now required by the laws of this Province, and for the purpose of striking out that part of the address in reference to the land granting department and other public offices. Another amendment moved for committing the address—(Mr. Sherwood.)

Which was carried, and the House was put into a committee of the whole on the address. Carried—and address committed.

Mr. Small in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House. Report amended.

The report was received.

The address as amended was then read the third time. Address, as amended, read third time.

On the question for passing the address, On question for passing

In Amendment—Mr. Small, seconded by Mr. Morris, moves that the address do not now pass, but all after the word "Sovereign," in the original be expunged, and the following inserted : "We your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to approach Your Majesty with the renewed assurance of our devoted attachment to Your Majesty's person and government. In the appointment by Your Majesty of a member of Your Amendment moved—(Mr. Small.)

Amendment moved—
(Mr. Small.)

Majesty's most Honourable Privy Council, of the eminent talents of Your Majesty's present Governor General of these Provinces, we view with feelings of gratitude an additional pledge, on the part of Your Majesty, of your determination to maintain unimpaired, the connexion which happily subsists between these colonies and the mother country. Our attention during the present Session of the Provincial Parliament having been called by His Excellency, in pursuance of the commands of Your Majesty to the subject of the re-union of Upper and Lower Canada, a subject of more importance than any other that has ever engaged the attention of the representatives of the people. We lost no time in taking into our most serious consideration, the three distinct propositions submitted to us, as the basis on which the Union might be established, and are happy to acquaint Your Majesty that after the most patient investigation of their several bearings, found them to embrace provisions as little at variance with the diversity of interests to be affected, as the nature of the measure would admit of. We have accordingly adopted resolutions assenting to the re-union, which have been transmitted to Your Majesty's Governor General, to be by him communicated to Your Majesty, and the Imperial Parliament. We trust Your Majesty and the Imperial Parliament, will view our having thus assented to the measures of Your Majesty's Government upon this important question, without insisting upon any conditions in the details of a Union which may vitally affect the best interests of the people of Upper Canada, as a renewed declaration of our confidence in the integrity of Your Majesty's Councils, and of our reliance upon Your Majesty's sincere desire to do equal justice to all classes of Your Majesty's Canadian subjects. We feel, however, that we should be wanting in our duty to Your Majesty and the people of this Province, whom we represent, did we not respectfully submit for Your Majesty's most serious consideration, that in our opinion, much greater advantages than can otherwise be anticipated to both Provinces, will flow from the Union, should the seat of government of the United Provinces be established within the present limits of Upper Canada, which we confidently anticipate will have a tendency ultimately, to make this portion of Your Majesty's dominions, British in fact, as well as in name."

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—17.

Messrs. *Chisholm of Glengarry, Cook, Duncombe, Manahan, Mathewson, McCargar, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Parke, Shaver, Small, Thorburn, Woodruff*—17.

N A Y S .

Nays—29.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Dettor, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Jarvis, Lewis, Malloch, McDonell of Glengarry, McLean, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson, Wickens*—29.

Amendment lost—
majority 12.

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

Division on original
question.

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

Y E A S .

Yeas—23.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Dettor, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Jarvis, Lewis, Malloch, McLean, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson, Wickens*—23.

N A Y S .

Nays—17.

Messrs. *Chisholm of Glengarry, Cook, Duncombe, Manahan, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Parke, Shaver, Small, Thorburn, Woodruff*—17.

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

Address passed—
majority 11.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg permission to approach your Majesty with renewed expression of our unwavering attachment to your Majesty's Royal person and government.

Address to Her Majesty
on Union.

During the present session of your Provincial Parliament, a subject more important than any that has ever engaged the attention of the representatives of the people, has been brought under their consideration in pursuance of the commands of Your Majesty, by Your Majesty's Governor General of these Provinces, namely ; the legislative Re-union of Upper and Lower Canada. In the Message of His Excellency to the two branches of the Legislature, they are informed that "after the most attentive and anxious consideration of the state of these Provinces, and of the difficulties under which they respectively labour, Your Majesty's advisers came to the conclusion that by their re-union alone could these difficulties be removed : that during the last session of the Imperial Legislature they refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the principle of the measure, or its necessity ; it arose solely from the desire to ascertain more fully the opinions of the legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces."

The House of Assembly deeply feel this additional proof of Your Majesty's solicitude for their happiness and prosperity ; and it will ever be held by them in grateful remembrance.

In pursuance of the message referred to, the House of Assembly lost no time in taking into consideration the three distinct propositions submitted by Your Majesty's Governor General as the basis on which the Re-union might be established, namely : First—equal representation of each Province in the United Legislature—Secondly—the grant of a sufficient Civil List—and Thirdly—That the public debt of this Province be charged on the joint revenue of the United Province.

In the discussion of these propositions, it happened that some of the members of this House apprehending the greatest danger to our civil and political institutions, and even to our connexion with the parent state, were opposed to the Union on any terms, while of those who supported the measure, there were many who were not wholly free from apprehensions as to the result, and who regarded it as a hazardous experiment, unless in addition to the terms submitted by the Governor General, certain details calculated to secure their institutions and their connexion with the Imperial Crown, should accompany their concurrence with the terms proposed. A majority however, gave their unconditional assent to the propositions above mentioned, in the fullest confidence, that Your Majesty, in calling the attention of the Imperial Parliament to the union, would at the same time recommend the adoption of every necessary safeguard to the maintenance of British interests and British supremacy. It is in this confidence that we now humbly submit to Your Majesty's most gracious consideration the following propositions, which in the opinion of this House, are calculated to secure the great end, in expectation whereof the assent to the Union was given :

And first, we respectfully entreat Your Majesty, that the use of the English language in all judicial and legislative records be forthwith introduced ; and that at the end of a space of a given number of years, after the Union, all debates in the Legislature shall be in English. And as a matter of justice to Your Majesty's subjects in Upper Canada, we earnestly and confidently appeal to Your Majesty, to admit their right to have the seat of the Provincial Government established within this Province. It surely cannot be denied to the people of this Colony, that if favor is to be shown to either Upper or Lower Canada, their claim stands pre-eminent ; independent of which, the moral and political advantages of the concession are too obvious and undeniable to admit of dispute.

It is with the most sincere satisfaction that this House has received from Your Majesty's representative the assurance that the bill introduced into the House of Commons during the last session of the Imperial Legislature, is not to be "considered as embodying the provisions which may hereafter be adopted by the Imperial Parliament." And, "that it is His Excellency's intention to recommend to Her Majesty's Government, in the new measure that must be introduced, to adhere as much as possible to existing territorial divisions for electoral purposes, and to maintain the principle of the constitutional act of 1791, with regard to the tenure of seats in the Legislative Council."

We would further respectfully submit, the necessity of providing that the members of the Legislature should possess a stake in the country equal to that now required by the laws of this Province, that to the call of public duty, that of private interest may be added, as an inducement to wise and careful legislation ; and for this purpose we trust that a sufficient qualification in real estate will be required from any person holding a seat in the Legislature.

We would also respectfully suggest to Your Majesty the paramount subject of emigration from the British Isles, which we consider the best calculated to render the United Province British in fact, as well as in name. No time, in our humble opinion, should be lost, in the establishment and vigorous prosecution of a well organized system of emigration, calculated to afford every possible facility to the settlement of that extensive domain, the proceeds of which have been proposed to be surrendered to the control of the Provincial Legislature, upon certain terms and conditions, which in Upper and Lower Canada is at present in right of the Crown, at Your Majesty's disposal.

We have no desire to interfere unnecessarily in questions of detail, which more immediately affect the sister Province ; but we cannot omit respectfully soliciting Your Majesty's attention to the introduction of a system of municipal government into Lower Canada, in order to provide for local

Address to Her Majesty
on Union.

expenditure by local taxation, and under local management, on the same principles as have obtained in Upper Canada, where the system established by the Provincial Legislature, after repeated and careful revision, has in its operation proved highly satisfactory to the people.

We would, lastly, desire humbly to assure Your Majesty, that to the principles on which our constitution has been established, to the representative mode of government under a monarchy, and to a permanent connexion with the British Empire, and a dutiful allegiance to our Sovereign, the people of Upper Canada most faithfully and firmly adhere.

It is only from apprehensions of danger on these most important matters, that doubt or difficulty has been felt in assenting to the Union; and we therefore now humbly trust that Your Majesty, fully acquainted with our situation, will not confine Your Royal consideration to the claims that are referred to in this address, or in any other proceeding of this House, but that continuing to us that gracious and generous protection we have hitherto experienced from Your Majesty and the British nation, Your Majesty will add such further safeguards as in your wisdom may be thought necessary and desirable to protect your faithful subjects in the peaceful enjoyment of their laws and liberties, and to perpetuate their connexion with Your Majesty's Crown and Empire.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Thirteenth day of January, 1840. }

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

Address to Governor
General to transmit ad-
dress on Union ordered.

Ordered—That an humble address be presented to His Excellency the Governor General acquainting His Excellency that this House has passed an address to Her Majesty on the subject of the Union, and requesting His Excellency to transmit the same to Her Majesty's Principal Secretary of State, to be laid at the foot of the Throne; and that the 31st rule of this House be dispensed with for that purpose; and that Messrs Gamble and Ruttan be a committee to report the same.

On motion of Mr. Aikman, seconded by Mr. McDonell of Stormont,

Petition of Trustees of
Ancaster Literary Insti-
tution referred to select
committee.

Ordered—That the petition of the trustees of the Literary Institution at Ancaster, be referred to a select committee consisting of Messrs. Ferrie and Burwell, to examine and report thereon.

Notice of bill to amend
Heir and Devisee Act.

Mr. Hotham gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Heir and Devisee act.

Com. to draft bill to
remunerate J. Kidd,
report draft.

Mr. Robinson, from the committee to draft a bill pursuant to the resolution of this House, granting a sum of money to John Kidd, for taking charge of state prisoners, reported a draft.

Bill read.

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

2d reading to-morrow.

Ordered—That the bill to remunerate John Kidd, be read a second time to-morrow.

Address for copy of
minutes of U.C. College
Council reported.
Address read.

Mr. Bockus, from the committee to draft an address to His Excellency the Governor General, for a copy of the minutes of the Council of Upper Canada College, reported a draft, which was received and read the first time.

On the question for the second reading of the address to-morrow.

In amendment—Mr. Bockus, seconded by Mr. Morris, moves that the address be not read a second time on to-morrow, but that it be read a second time forthwith.

Address read 2d time
and concurred in.

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

On the question for the third reading of the address to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Morris, moves that the address be read a third time this day.

3d reading to-day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

Com. of whole again on
Clergy Reserves bill.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill for the disposal of the Clergy Reserves.

Mr. Armstrong in the chair.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

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

The report was received, and leave granted accordingly.

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

Ordered—That the committee of the whole on the Clergy Reserves bill be the first item on the order of the day on to-morrow, after receiving reports. Clergy Reserves bill first item to-morrow.

Adjourned.

TUESDAY, 14th January, 1840.

The House met.

The minutes of yesterday were read.

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

By Mr. Robinson, the petition of James Sanson, chairman at the annual township meeting in the township of Orillia, (Simcoe.) J. Sanson.

And by Mr. Ruttan, the petition of Elizabeth Carlile, widow of the late Newton Carlile, M.D., of the town of Cobourg; the petition of Ebenezer Perry & Co., and one hundred and eighteen others, of the town of Cobourg and its vicinity; and the petition of T. Ward, and fifty-eight others, of Port Hope and its vicinity. Elizabeth Carlile.
E. Perry & Co. and 118 others.
T. Ward and 58 others

Pursuant to the order of the day, the address to His Excellency the Governor General, for copy of the Minutes of the Council of King's College, was read the third time and passed, and is as follows: Address for copy of Minutes of King's College Council passed

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, copies of the Minutes of the Council of King's College, for the year 1839, together with the several Reports of the Committee of the Council, during the same period. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Fourteenth day of January, 1840. }

Messrs. Morris and Bockus were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

*Petitions read :*Hooker & Henderson,
and 19 others.

Pursuant to the order of the day, the following petitions were read:—
Of Messrs. Hooker and Henderson, and nineteen others, of the county of Grenville, praying for an increase of the capital stock of the Commercial Bank of the Midland District.

Jas. Cull.

Of James Cull, Civil Engineer, praying to be paid for furnishing the House, in the winter of 1836—7, with copies of a paper then published by him, called the "Royal Standard."

H. Jessopp.

And of Henry Jessopp, of the city of Toronto, praying for authority to practise as an Attorney of the Court of Queen's Bench.

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

Members added to com.
on message on improve-
ment of Trent.

Ordered—That Messrs. McKay and Rykert be added to the committee on the report on the improvement of the River Trent.

Notices :
Of address to His Exc'y
for copy of petition
from inhabitants of
Middlesex.

Mr. Parke gives notice that he will, on to-morrow, move that this House do present an address to His Excellency the Governor General, requesting that His Excellency will be pleased to transmit to this House a copy of the petition of certain inhabitants of the county of Middlesex, to His Excellency Sir George Arthur in 1838, for removing the office of register for that county to the town of London; a copy of the letter from His Excellency's Private Secretary to the Register in reference to the petition, and a copy of the Register's report thereon; and also a copy of the commission given to the register of the county of Middlesex in the year 1809.

Of address to His Exc'y
for copy of reports of
Commissioners on
Public Departments.

Mr. Gamble gives notice, that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to send down, for the information of this House, the report of the commissioners appointed to investigate and report upon the state of the Public Departments of this Province.

Sel. com. on petition of
W. Robertson and
others, report London
Police bill.

Mr. Burwell, from the select committee to which was referred the petition of William Robertson, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the third time.

2d reading to-morrow.

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

Sel. com. on petition of
A. McGillivray and
others, report Grimsby
township bill.

Mr. Hotham, from the select committee to which was referred the petition of Angus McGillivray, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the first time.

2d reading to-morrow.

Ordered—That the bill to erect certain parts of Lochiel and Kenyon into a separate township, be read a second time to-morrow.

Address to His Exc'y
to transmit address to
Her Majesty on Union
reported.
Address read 1st time.

Mr. Boulton, from the committee to draft an address to His Excellency the Governor General praying him to transmit the address to Her Majesty on the subject of the Union of Upper and Lower Canada, reported a draft which was received and read the first time.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Rykert, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

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

Address read 2d time
and committed.

On the question for the third reading of the address to-morrow.

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the address be not read a third time to-morrow, but that it be read a third time forthwith.

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

Address read 3d time.

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

Division on passing.

YEAS.

Yeas—18.

Messrs. Aikman, Bockus, Boulton, Burwell, Dellar, Ferrie, Gamble, Gowan, Hotham, Kearnes, Malloch, McLean, Robinson, Ruttan, Rykert, Sherwood, Solicitor General, Wickens—18.

N A Y S.

Messrs. Chisholm of Glengarry, Manahan, Mathewson, McCargar, McDonell of Glengarry, Nays—11.
McDonell of Stormont, McIntosh, McKay, McMicking, Thorburn, Woodruff—11.

The question was carried in the affirmative by a majority of seven, and the address was passed, and is as follows:— Carried—majority 7.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, have passed an address to Her Majesty on the subject of the proposed Re-union of Upper and Lower Canada, which we humbly request that Your Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State, in order that the same may be laid at the foot of the Throne. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Fourteenth day of January, 1840. }

Messrs. Robinson and McLean were ordered by the Speaker to wait upon His Excellency to know when he will be pleased to receive the House with its address.

Mr. Boulton, from the committee to draft an address to His Excellency, the Governor General, for information respecting the joint address on commuted Chelsea Pensioners, reported a draft which was received and read the first time. Address for information on address on Chelsea Pensioners reported. Address read.

On the question for the second reading of the address, to-morrow.

In amendment—Mr. Sherwood, seconded by Mr. Rykert, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Which was carried, and the address was read the second time and concurred in. Address read 2d time.

On the question for the third reading of the address to-morrow.

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the address be not read a third time to-morrow, but that it be read a third time forthwith.

Which was carried, and the address was read the third time and passed, and is as follows:— Address read third time and passed.

To His Excellency The Right Honourable CHARLES POULETT THOMSON one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to inform this House, whether any answer has been received from Her Majesty's Government upon the subject of the joint address of the Legislative Council and this House, on the subject of certain Chelsea Pensioners, and if any answer has been received, that Your Excellency will cause the same to be transmitted for the information of this House. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Fourteenth day of January, 1840. }

Messrs. Sherwood and Boulton were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Sel. com. on petition of C. P. Treadwell, Esq. report Ottawa land sale bill.

Mr. Hotham, from the select committee to whom was referred the petition of C. P. Treadwell, Esquire, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the first time.

3d reading to-morrow.

Ordered—That the bill to confirm certain sales of land for taxes in the District of Ottawa, be read a second time to-morrow.

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

2,500 copies of proceedings on Union to be printed.

Ordered—That two thousand copies of the address to Her Majesty on the subject of the Union, be printed for the use of members, with the yeas and nays thereon, and five hundred in the German Language.

Message to Leg. Council requesting leave for Hon. Messrs. Dunn and Macaulay ordered.

Mr. Bockus, seconded by Mr. Morris, moves that a message be sent to the Honorable the Legislative Council, requesting that Honorable House to give permission to the Honorables John Henry Dunn and John Macaulay to attend and give evidence before the Committee on Finance.

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

Clergy Reserves bill again committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to dispose of the Clergy Reserves.

Mr. Detlor in the chair.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Black Rod

Mr. Speaker resumed the chair, Black Rod being at the door.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Bill reported amended.

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

The report was received.

On question for third reading to-morrow. Amendment moved—(Mr. Thomson.)

On the question for the third reading of the bill to-morrow.

In amendment—Mr. Thomson, seconded by Mr. McIntosh, moves that the bill be not read a third time to-morrow, but that it be recommitted forthwith for the purpose of adding the following to the sixth clause: “*Provided always, that the said commissioners in determining the appropriation among the various churches and denominations of christians according to the provision of this act, shall ascertain the amount of lands granted from the Clergy Reserves to the several churches or denominations of christians previous to the passing of this act, and shall estimate the annual value of such grants respectively, which shall be received, in determining the portion to be appropriated to the said churches and denominations.*”

Division on amendment

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

Y E A S.

Yeas—9.

Messrs. *Chisholm* of Glengarry, *Duncombe*, *McDonell* of Stormont, *McIntosh*, *McMicking*, *Parke*, *Thomson*, *Thorburn*, *Woodruff*—9.

N A Y S.

Nays—37.

Messrs. *Aikman*, *Armstrong*, *Bockus*, *Boulton*, *Burritt*, *Burwell*, *Caldwell*, *Chisholm* of Halton, *Cook*, *Dellor*, *Dunlop*, *Elliott*, *Gamble*, *Gowan*, *Hunter*, *Jarvis*, *Kearnes*, *Lewis*, *Malloch*, *Mathewson*, *McCargar*, *McCrae*, *McDonell* of Glengarry, *McKay*, *McLean*, *Merritt*, *Morris*, *Powell*, *Richardson*, *Robinson*, *Ruttan*, *Rykert*, *Shade*, *Shaver*, *Small*, *Solicitor General*, *Wickens*—37.

The question of amendment was decided in the negative by a majority of twenty-eight. Amendment lost—majority 28.

In amendment—Mr. Thomson, seconded by Mr. McDonnell of Stormont, moves that the bill be not read a third time to-morrow, but that it be re-committed forthwith for the purpose of providing for the distribution of the annual funds arising from the Clergy Reserves in the following manner :—That the Clergy Reserves shall be appropriated equally amongst the various religious denominations in proportion to the numbers of their respective adherents, which numbers shall be ascertained in the following manner: proper persons to be appointed in each city, town and township, within this province, whose duty it shall be to ascertain from each person, male and female, over the age of sixteen years, to which religious denomination they belong or give preference. Another amendment moved, (Mr. Thomson)

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

YEAS.

Messrs. Aikman, Chisholm of Glengarry, Duncombe, Gamble, Gowan, McDonell of Stormont, McIntosh, Thomson, Woodruff,—9, Yeas—9.

NAYS.

Messrs. Armstrong, Bockus, Boulton, Burritt, Burwell, Caldwell, Chisholm of Halton, Cook, Deltor, Dunlop, Elliott, Ferrie, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell, of Glengarry, McKay, McLean, McMicking, Merritt, Morris, Parke, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thorburn, Wickens—41. Nays—41.

The question of amendment was decided in the negative by a majority of thirty-two. Amendment lost—majority 32.

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

YEAS.

Messrs. Armstrong, Burritt, Chisholm of Halton, Chisholm of Glengarry, Cook, Deltor, Ferrie, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, Morris, Richardson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Wickens—28. Yeas—28.

NAYS.

Messrs. Aikman, Bockus, Boulton, Burwell, Caldwell, Duncombe, Elliott, Gamble, Gowan, McIntosh, McMicking, Merritt, Moore, Parke, Powell, Robinson, Rykert, Small, Thomson, Thorburn, Woodruff—21. Nays—21.

The question was carried in the affirmative by a majority of seven, and the bill was ordered to be engrossed and read a third time to-morrow. Carried—majority 7. 3d reading to-morrow.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General two messages. Speaker reports messages from Governor General.

The messages were read by the Speaker as follows :—

C. POULETT THOMSON,

In answer to the address from the House of Assembly of the 19th December, respecting communications received from Her Majesty's Principal Secretary of State on the subject of Responsible Government, the Governor General regrets that it is not in his power to communicate to the House of Assembly any despatches upon the subject referred to. Message respecting responsible government.

The Governor General has received Her Majesty's commands to administer the Government of these Provinces in accordance with the well understood wishes and interests of the people, and to pay to their feelings, as expressed through their Representatives, the deference that is justly due to them.

These are the commands of Her Majesty, and these are the views with which Her Majesty's Government desire that the administration of these Provinces should be conducted; and it will be the earnest and anxious desire of the Governor General to discharge the trust committed to him, in accordance with these principles.

Toronto,

Fourteenth January, 1840.

C. POULETT THOMSON,

Message respecting bill to grant land to James FitzGibbon, Esq.

In answer to the address from the House of Assembly of the 8th instant, the Governor General desires to inform them, that after a very full consideration of the subject, Her Majesty's Government have come to the conclusion, that they could not advise Her Majesty to confirm the bill passed by the Provincial Legislature during the last session, but reserved for Her Majesty's confirmation, to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire.

Her Majesty's Government sensible of the long and valuable services of Mr. FitzGibbon, came to this decision with much reluctance, but they felt that the confirmation of such an act would be inconsistent with the principles laid down for the disposal of the waste lands of the Crown in the British Colonies, and confirmed in that Province by an act of the Legislature, and that it would establish a very inconvenient precedent.

If, however, the Legislature of Upper Canada should desire to mark their sense of Mr. FitzGibbon's services by a pecuniary grant, the Governor General would have much satisfaction in recommending such a grant for Her Majesty's approval.

And on Welland Canal private stock bill

The Governor General takes this opportunity of informing the House of Assembly, that the bill passed last year by the Legislature, but reserved for the signification of Her Majesty's pleasure, entitled, "An Act to authorize the purchase of the private stock of the Welland Canal on the part of the Province, and for other purposes therein mentioned," is still under the consideration of Her Majesty's Government.

Toronto,

Fourteenth January, 1840.

Motion to refer message on responsible government.

Mr. Robinson, seconded by Mr. Bockus, moves, that the message of His Excellency the Governor General, of this day, on the subject of "Responsible Government," be referred to a select committee consisting of Messrs. Sherwood Rykert, and Thorburn.

Amendment moved.

In amendment—Mr. Parke, seconded by Mr. Cook, moves, that all after the word "moves," be expunged, and the following inserted: "that two thousand copies of the message be printed for the use of members."

Division on amendment

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

Y E A S .

Yeas—31

Messrs. Aikman, Armstrong, Chisholm of Glengarry, Cook, Dellar, Duncombe, Elliott, Ferrie, Gowan, Kearnes, Lewis, Manahan, Mathewson, McCargaw, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Merrill, Moore, Morris, Parke, Richardson, Ruttan, Shaver, Small, Thomson, Thorburn, Wickens, Woodruff—31.

N A Y S .

Nays—14

Messrs. Bockus, Boulton, Burrill, Burwell, Caldwell, Chisholm of Hulton, Gamble, Hunter, Malloch, McLean, Robinson, Rykert, Shade, Sherwood—14.

Amendment carried—majority 17

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

Division on original question, as amended

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

Y E A S .

Yeas—29

Messrs. Aikman, Armstrong, Chisholm of Glengarry, Cook, Dellar, Duncombe, Elliott, Ferrie, Gowan, Kearnes, Manahan, Mathewson, McCargaw, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Merrill, Moore, Morris, Parke, Richardson, Ruttan, Shaver, Small, Thomson, Thorburn, Woodruff—29.

N A Y S.

Messrs. Bockus, Boulton, Burrill, Burwell, Caldwell, Chisholm of Halton, Gamble, Hunter, Malloch, McLean, Powell, Robinson, Rykert, Shade, Sherwood—15. Nays—15.

The question was carried in the affirmative by a majority of fourteen, and ordered accordingly. Carried—majority 14.

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

Ordered—That the message of His Excellency the Governor General, of this day, in reference to the bill passed last Session, for authorising a grant of land to James FitzGibbon, Esquire, be referred to a committee of the whole on supply, to-morrow. Message on bill to grant land to Col. FitzGibbon referred to supply.

On motion of Mr. Manahan, seconded by Mr. Mathewson,

Ordered—That Messrs. Prince and McDonell, of *Glengarry*, be added to the committee on the Lunatic Asylum. Messrs. Prince and McDonell of *Glengarry* added to committee on Lunatic Asylum.

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

Ordered—That that part of His Excellency the Governor General's message, relating to the Royal Assent being withheld to the bill authorising the purchase of the stock of the private shareholders in the Welland Canal Company, be referred to a committee, consisting of Messrs. Bockus, Rykert, Chisholm of *Halton*, and Thorburn, with power to report thereon. Message on Welland Canal stock purchase bill referred to sel. com.

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

Ordered—That an address be presented to His Excellency the Governor General, thanking him for his messages of this day, and that Messrs. Merritt and Sherwood be a committee to draft and report the same. Address of thanks ordered.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message, which was read as follows: Speaker reports message from Leg. Council.

Mr. SPEAKER:

The Legislative Council have adopted the accompanying resolution, to which they request the concurrence of the Commons House of Assembly. Message from Leg. Council with resolution on Militia Laws.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }
 Fourteenth day of January, 1840. }

Resolved—That a well organized Militia is most important and necessary for the proper defence of the country, and that the Militia laws of the Province are inadequate to ensure so desirable an object, and therefore require amendment. Resolution of Leg. Council on Militia Laws

Truly extracted from the minutes of the Legislative Council.

J. JOSEPH,

Clerk, Legislative Council.

Adjourned.

WEDNESDAY, 15th January, 1840.

The House met.

The minutes of yesterday were read.

Petitions read :

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

F. K. Carey, and 255 others.

By Mr. Parke, the petition of F. K. Carey, of the township of Delaware, in the District of London, and two hundred and fifty-five others.

M. Cameron and 44 others.

By Mr. Thomson, the petition of Malcolm Cameron and forty-five others, of Sarnia, in the Western District.

Jas. Coleman and 123 others.

By Mr. Chisholm, of *Halton*, the petition of James Coleman, and one hundred and twenty-three others, of Dundas, West Flamborough, and the adjoining townships, in the District of Gore.

J. Smith.

By Mr. Ferrie, the petition of John Smith.

J. W. H. Millar and 32 others.

And by Mr. McLean, the petition of John W. H. Millar, and thirty-two others.

3d reading of Clergy Reserves bill called.

On the order of the day for the third reading of the bill for the disposal of the Clergy Reserves, being called.

Amendment moved—
(Mr. Boulton.)

In Amendment—Mr. Boulton, seconded by Mr. Gamble, moves that the order of this House for reading the bill a third time be rescinded, and that it be *Resolved*—That an humble address be presented to Her Majesty, beseeching Her Majesty in pursuance of the Constitutional Act, 31st George the Third, to lay before the two Houses of the Imperial Parliament, the bill which passed the two Houses of the Provincial Legislature during the last session, for the disposal of the Clergy Reserves; and in case neither of the said Houses of the Imperial Parliament address Her Majesty not to assent to the said bill, beseeching Her Majesty to give Her assent to the same.

Division on amendment

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

YEAS.

Yeas—6.

Messrs. Boulton, Burwell, Elliott, Gamble, Gowan, Robinson,—6.

NAYS.

Nays—42.

Messrs. Aikman, Armstrong, Bockus, Burrill, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Deltor, Duncombe, Ferrie, Holham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McIntosh, McLean, McMicking, Merrill, Moore, Morris, Parke, Richardson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff,—42.

Amendment lost—
majority 36.
Bill read third time.

The question of Amendment was decided in the negative, by a majority of thirty-six, and the bill was read the third time.

On question for passing

On the question for passing the bill.

Amendment moved—
(Mr. Thorburn.)

In amendment—Mr. Thorburn, seconded by Mr. Bockus, moves that the bill do not now pass, but that it be *Resolved*—That it is expedient for the peace, welfare, and good government of this Province, that the reservation of lands for the support of a Protestant Clergy cease, and that the lands already set apart for that purpose be sold, in the same manner as Crown Lands are now sold, and the proceeds of such sale be paid into the hands of the Receiver General of this Province, for the general uses thereof; and that an humble address be presented to Her Majesty, praying that Her Majesty may be pleased to recommend to the Imperial Parliament to pass an act, placing the funds arising from the sales of Clergy Reserves, heretofore made, and invested in England, in the hands of the Receiver General of this Province, to be placed under the control of the local Legislature.

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

Division on amendment

YEAS.

Messrs. *Aikman, Bockus, Caldwell, Duncombe, McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Small, Thomson, Thorburn, Woodruff*—14. Yeas—14.

NAYS.

Messrs. *Armstrong, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dellar, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, Morris, Powell, Richardson, Robinson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Wickens*—36. Nays—36.

The question of amendment was decided in the negative by a majority of twenty-two.

Amendment lost—majority 12.

In amendment—Mr. Bockus, seconded by Mr. Merritt, moves that the bill do not now pass, but that it be re-committed forthwith, for the purpose of amending the fourth clause, by expunging that part of the clause which pledges the Casual and Territorial Revenue to make up any deficiency in the stipends provided to be paid by said bill.

Another amendment moved—(Mr. Bockus.)

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. *Aikman, Bockus, Caldwell, Duncombe, McIntosh, Merritt, Moore, Parke, Rykert, Small, Thorburn, Woodruff*—12. Yeas—12.

NAYS.

Messrs. *Armstrong, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dellar, Ferrie, Gamble, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, McMicking, Morris, Powell, Richardson, Robinson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens*—36. Nays—36.

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

Amendment lost—majority 24.

In amendment—Mr. Bockus, seconded by Mr. Small, moves that the bill do not now pass, but that it be recommitted forthwith for the purpose of amending the same, by adding a clause to repeal the thirty-sixth clause of the Act of the Imperial Parliament of 31st George III, chap. 31, so that no further reservations of land shall take place for the purposes therein contemplated.

Another amendment moved—(Mr. Bockus.)

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

Division on amendment

YEAS.

Messrs. *Aikman, Bockus, Caldwell, Duncombe, McIntosh, Merritt, Moore, Parke, Rykert, Small, Thorburn, Woodruff*—12. Yeas—12.

NAYS.

Messrs. *Armstrong, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Stormont, McKay, McLean, McMicking, Morris, Powell, Richardson, Robinson, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens*—35. Nays—35.

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

Amendment lost—majority 23.

Another amendment moved. (Mr. Thomson)

In amendment—Mr. Thomson, seconded by Mr. Merritt, moves that the bill do not now pass, but that it be recommitted forthwith, in order to amend the same, so that the relative number of the adherents of each denomination of christians, recognized by the laws of this province, form the basis of division of the annual income arising from the Clergy Reserve fund.

Division on amendment

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

Y E A S.

Yeas—11.

Messrs. *Aikman, Bockus, Duncombe, Gowan, McIntosh, Merritt, Moore, Rykert, Small, Thomson, Woodruff*—11.

N A Y S.

Nays—35

Messrs. *Armstrong, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Deltor, Elliott, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, McMicking, Morris, Powell, Richardson, Robinson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Wickens*—35.

Amendment lost—majority 24.

The question of amendment was decided in the negative by a majority of twenty-four.

Another amendment moved—(Mr. Boulton.)

In amendment-- Mr. Boulton, seconded by Mr. Burwell, moves that the bill do not now pass, but that it be amended, by striking out the second clause, the same being repugnant to the provisions of the British Statute, 7th and 8th, Geo. IV, chap. 62.

Division on amendment

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

Y E A S.

Yeas—7.

Messrs. *Boulton, Burwell, Elliott, Gamble, Gowan, Powell, Robinson*—7.

N A Y S.

Nays—40

Messrs. *Aikman, Armstrong, Bockus, Burritt, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Deltor, Duncombe, Ferrie, Hotham, Hunter, Jarvis, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Morris, Parke, Richardson, Ruttan, Rykert, Shade, Shaver, Small, Solicitor General, Thomson, Thorburn, Woodruff*—40.

Amendment lost—majority 33.

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

Division on original question.

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

Y E A S.

Yeas—28.

Messrs. *Armstrong, Burritt, Chisholm of Halton, Chisholm of Glengarry, Cook, Deltor, Ferrie, Hotham, Hunter, Jarvis, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, Morris, Richardson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Wickens*—28.

N A Y S.

Nays—20.

Messrs. *Aikman, Bockus, Boulton, Burwell, Caldwell, Elliott, Gamble, Gowan, Lewis, McIntosh, McMicking, Merritt, Parke, Powell, Robinson, Rykert, Small, Thomson, Thorburn, Woodruff*—20.

The question was carried in the affirmative, by a majority of eight, and the bill was passed. Bill passed—majority 8.

Mr. Solicitor General, seconded by Mr. Sherwood, moves that the bill be entitled, Title.
 “An Act to provide for the Sale of the Clergy Reserves, and for the distribution of the proceeds thereof.”

Which was carried, and the Members of the House, who were Members of the Executive Government, were ordered, by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

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

Petitions read :

Of Ewen McDonald, and three hundred and fifty-three others, of the township of Lochiel, in the county of Glengarry, praying that said township may not be divided, but may be allowed to remain entire. E. McDonald and 353 others.

And of F. G. Millar, and one hundred and thirty others, of the townships of Waterloo and Woolwich, in the district of Gore, praying that persons erecting any dam across the Grand River may be compelled to construct an inclined plane, so that fish may be able to ascend the stream. F. G. Millar and 130 others.

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

Petitions referred :

Ordered—That the petition of James Cull be referred to the printing committee, with power to report thereon. Of J. Cull, to committee on printing.

On motion of Mr. Shade, seconded by Mr. Chisholm, of Hullon,

Ordered—That the petition of F. G. Millar, and one hundred and thirty others, be referred to a select committee, to be composed of Messrs. Solicitor General, Burwell, Sherwood, and Thorburn, to report thereon, by bill or otherwise. Of F. G. Millar and 130 others, to sel. com.

On motion of Mr. Parke, seconded by Mr. Cook,

Ordered—That the name of Sherwood be added to the select committee, on the petition of John Douglass and others, of the town of London. Mr. Sherwood added to com. on petition of J. Douglas and others.

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

Ordered—That Messrs. Solicitor General, Sherwood, Boulton, Richardson, and Small, be a select committee, to enquire into the practice and costs of the Court of Chancery within this Province, and other matters connected with said court, with power to send for persons and papers; and report thereon by bill or otherwise; and that the thirty-first rule of this House be dispensed with, so far as relates to the same. Sel. com. on Court of Chancery appointed.

Mr. Mathewson gives notice that he will, on to-morrow, move for leave to bring in a bill to reduce the fees chargeable by Magistrates under existing laws, and to render their accountability for fines more certain.

Notices :

Of bill to reduce Magistrates' fees.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to introduce an address to Her Majesty on the subject of a “Responsible Executive Council.”

Of address to Her Majesty on “Responsible Executive Council.”

Mr. Richardson gives notice that he will, on to-morrow, move for leave to bring in a bill to extend the limits of gaols in this Province.”

Of bill to extend gaol limits.

Mr. Richardson, from the select committee to which was referred the petition of the magistrates of the District of Niagara, on the subject of the debts of the district, presented a report which was received and read, as follows :—

Sel. com. on petition of Magistrates of Niagara (debt) present report.

To the Honorable the Commons House of Assembly:

Your Committee to whom was referred the petition of the magistrates of the District of Niagara in General Quarter Sessions assembled, beg leave to report :— Report.

That they have carefully enquired into the merits of the petition, which sets forth that the debts of the district are estimated at about fifteen hundred pounds, and prays that authority may be given to the magistrates of that district to borrow a sum of money, not exceeding £2,000, nor less £1,200 to liquidate these debts; or in the event of their not being able to effect a loan, to raise the same by an additional tax. Your committee therefore recommend that the prayer of the petition be granted, and that an act be passed in conformity therewith.

All of which is respectfully submitted,

CHARLES RICHARDSON,

CHAIRMAN.

Committee Room, }
 Fifteenth day of January, 1840. }

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

Report referred to com.
of whole to-morrow.

Ordered—That the report of the select committee on the petition of the magistrates of the District of Niagara, praying for authority to raise a loan to liquidate the debts of the district, or to levy an additional assessment, be referred to a committee of the whole House to-morrow.

Address to Her Majesty
on C. Leggo reported.
Address read.

Mr. Morris, from the committee to draft an address to Her Majesty relative to the claim of Christopher Leggo, reported a draft, which was received and read the first time.

2d reading to-morrow.

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

Sel. com. on petition of
W. M. Ball and others
present report.

Mr. Richardson, from the select committee to which was referred the petition of William M. Ball and others, presented a report, which was received and read, as follows :—

To the Honorable the Commons House of Assembly.

Report.

Your Committee to whom was referred the petition of William M. Ball, Esquire and fifty-nine others, praying for a general tax upon dogs, beg leave to report :—

That they have duly considered the representations made by the petitioners, and recommend to your Honorable House that an act be passed, allowing every resident householder the privilege of keeping one dog, and subjecting every additional one to a tax of five shillings ; which tax shall be paid into the hands of the District Treasurers respectively, for district purposes.

All of which is respectfully submitted,

CHARLES RICHARDSON,

CHAIRMAN.

Committee Room,
Fifteenth day of January, 1840. }

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

Report referred to com.
of whole to-morrow.

Ordered—That the report of the select committee on the petition of W. M. Ball, Esquire, and others be referred to a committee of the whole House, on to-morrow.

On motion of Mr. McLean, seconded by Mr. McDonell, of Glengarry.

Report on petition of
Rev. G. Archbold and
others referred to supply

Ordered—That the report of the select committee on the petition of the Reverend George Archbold and others, in behalf of the deaf and dumb, be referred to a committee of the whole on supply, to-morrow.

Address of thanks
reported.
Address read.

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

On the question for the second reading of the address, to-morrow.

In amendment—Mr. Merritt, seconded by Mr. Morris, moves that the address be not read a second time to-morrow, but that it be read a second time this day.

Address read 2d time
and concurred in.

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

On the question for the third reading of the address to-morrow.

In amendment—Mr. Merritt, seconded by Mr. Morris, moves that the address be not read a third time to-morrow, but that it be read a third time this day.

Address read 3d time
and passed.

Which was carried, and the address was read the third time and passed, and is as follows.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your messages of yesterday. Address.

ALLAN N MACNAB,

SPEAKER.

Commons House of Assembly, }
Fifteenth day of January, 1840. }

Messrs. Merritt and Parke were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to notice, Mr. Gamble seconded by Mr. Boulton, moves that an humble address be presented to His Excellency the Governor General, requesting that the several reports of the commissioners appointed, in consequence of an address of this House of last Session, to investigate the state of the public departments, may be transmitted to this house without delay, and that Messrs. Boulton and Ruttan be a committee to draft and report the same.

Address to His Exc'y for reports of Commissioners on Public Departments ordered.

Which was carried and ordered.

Mr. Ruttan from the committee to draft an address pursuant to the foregoing resolution, reported a draft, which was received and read the first time.

Address reported and read first time.

On the question for the second reading of the address to-morrow.

In amendment—Mr. Bockus, seconded by Mr. Malloch, moves that the address be not read a second time on to-morrow, but that it be read a second time forthwith.

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

Address read 2d time and concurred in.

On the question for the third reading of the address to-morrow.

In amendment—Mr. Bockus, seconded by Mr. Malloch, moves that the address be not read a third time to-morrow, but that it be read a third time forthwith.

Which was carried, and the address was read the third time and passed, and is as follows:

Address read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be transmitted, for the information of this House, copies of the several reports of the commissioners appointed, in compliance with its address of last Session, to investigate the state of the Public Departments.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Fifteenth day of January, 1840. }

Messrs. Gamble and Ruttan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill sent down by the Honourable the Legislative Council, entitled "An Act to establish a College at Kingston, by the name and style of the University of Queen's College," was read the second time.

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

Mr. Kearnes in the chair.

The House resumed.

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

The report was received.

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

Adjourned.

Queen's College bill
(L. C.) read second
time and committed.

Bill reported.

3d reading to-morrow.

THURSDAY, 16th January, 1840:

The House met.

The minutes of yesterday were read.

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

By Mr. Parke, the petition of Chauncey Yale, of the town of London.

By Mr. Woodruff, the petition of William Bridgman, and eighty-three others, of the District of Niagara.

By Mr. Boulton, the petition of David Smart, President of the Agricultural Society, and two thousand four hundred and thirty seven others, of the county of Durham.

By Mr. Bockus, the petition of Charles Sayre, and eighty-eight others, of the township of Hillier (Prince Edward.)

By Mr. Prince, the petition of Joseph Turton, builder.

And by Mr. Solicitor General, the petition of Lucinda Beatty, of the city of Toronto.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled, "An Act to establish a College at Kingston by the name and style of the University of Queen's College," was read the third time.

On the question for passing the bill.

In amendment—Mr. Morris, seconded by Mr. Thomson, moves that the bill do not now pass, but that it be amended in the following manner :

"IN THE TITLE.

After "A College," expunge the remainder, and insert "by the name and style of the University at Kingston."

"IN THE BILL.

Press. 2, expunge "Queen's College," at the end of the first clause, and insert "the University at Kingston."

Press. 3, after "Trustees of" expunge "Queen's College" and insert "the University at Kingston."

Petitions brought up:

C. Yale.

W. Bridgman and 83
others.

D. Smart and 2437
others.

C. Sayre and 88 others.

J. Turton.

L. Beatty.

Queen's College bill
read third time.

On question for passing.

Amendment moved.

Which was carried.

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

Petitions read :

Of James Sanson, chairman at the annual township meeting, in the Township of Orillia, (Simcoe) praying that a law may be passed to provide for receiving votes at County Elections, in several places at once.

J. Sanson.

Of Elizabeth Carlile, widow of the late Newton Carlile, M. D., of the town of Cobourg, praying remuneration for her late husband's professional services in attending sick emigrants.

Elizabeth Carlile.

Of Ebenezer Perry & Co., and one hundred and eighteen others, of the town of Cobourg, praying for an increase of the capital stock of the Commercial Bank of the Midland District.

E. Perry & Co. and 118 others.

And of T. Ward and fifty-eight others, of Port Hope and its vicinity, praying the same.

T. Ward and 58 others

On motion of Mr. Prince, seconded by Mr. McCrae.

Petitions referred :

Ordered—That the petition of H. E. Nicolls, Esquire, be referred to a select committee, consisting of Messrs. Gowan, Ruttan, and Elliott, with power to send for persons and papers.

Of H. E. Nicolls to select committee.

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

Ordered—That the petition of Ebenezer Perry and others, and the petition of Thomas Ward and others, be referred to the committee of the whole House on the bill to increase the Stock of the Commercial Bank of the Midland District.

Of E. Perry and others, and of T. Ward and others, to com. of whole on Commercial Bank stock increase bill.

On motion of Mr. Ruttan, seconded by Mr. McDonell, of *Glengarry*.

Ordered—That the petition of Elizabeth Carlile be referred to Messrs. Gowan, Elliott, and Boulton, to report thereon by bill or otherwise.

Of E. Carlile to select committee.

Notices :

Mr. Gowan gives notice that he will on to-morrow, move that the House be placed in committee of the whole, for the purpose of enlarging the salary of the Speaker of this House.

Of com. of supply on enlarging Speaker's salary.

Mr. Thomson, gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House, whether any, and what steps have been taken in regard to the confiscation of property belonging to persons convicted of treason in this Province, since December, 1837, and what property is liable to be so confiscated ; and praying His Excellency, that if no confiscations have been made, immediate steps may be taken in regard to the same, in order that this House may be fully informed as to the extent and situation of all property liable to be so confiscated.

Of address respecting confiscation of property of traitors.

Mr. Thomson gives notice, that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, an account of all lands that have been granted for the support of schools in this Province, together with a full account of the manner in which such lands have been disposed of, and what (if any) funds are now available for the support of Common Schools in this Province; and also what exchanges have been made of School Lands, and for whose benefit.

Of address for return of school lands granted.

Mr. Gamble gives notice, that he will, on to-morrow, move for leave to bring in a bill for remunerating the Inspectors of the several districts in this Province.

Of bill to remunerate inspectors.

Mr. Morris gives notice, that he will, on to-morrow, move a Resolution on the subject of the address of this House to Her Majesty of the 13th instant.

Of resolution respecting address on Union.

Mr. Robinson, from the Committee to wait on His Excellency the Governor General, to know when he would be pleased to receive this House with its address to Her Majesty, on the subject of the Union of Upper and Lower Canada, reported that His Excellency had been pleased to name the hour of one of the clock P. M., on Saturday next, at his residence.

Com. report time when His Exc'y will receive address on Union.

Mr. Morris, from the committee to wait on His Excellency the Governor General, with the address of this House for copy of the minutes of the Council of King's College, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address for minutes of King's College Council, report answer.

Answer.	GENTLEMEN,	I will direct the accounts to be laid before the House of Assembly.
Bill to amend Mutual Insurance act read 2d time and committed.	read	Pursuant to the order of the day, the bill to amend the Mutual Insurance act, was read the second time. The House was put into a committee of the whole on the bill. Mr. Gowan in the chair. The House resumed.
Committee rises		The chairman reported that the committee had risen. The report was received.
Hallowell division bill again committed.		Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to divide the township of Hallowell. Mr. Lewis in the chair. The House resumed.
Bill reported amended.		The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. The report was received.
3d reading to-morrow		<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.
Standard measure regulation bill read 2d time and committed.		Pursuant to the order of the day, the bill to amend the act regulating the standard of weights and measures, was read the second time. The House was put into a committee of the whole on the bill. Mr. Robinson in the chair. The House resumed.
Progress reported—sit again to-morrow.		The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. The report was received, and leave granted accordingly.
Bill to postpone sale of land for debt read 2d time and committed.		Pursuant to the order of the day, the bill to postpone the sale of land for satisfaction of debt, was read the second time. The House was put into a committee of the whole on the bill. Mr. Burwell in the chair. The House resumed.
Progress reported—sit again to-morrow.	and	The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow. The report was received, and leave granted accordingly. On motion of Mr. Sherwood, seconded by Mr. Detlor,
Usury bill to be first item on Monday.	order	<i>Ordered</i> —That the bill to alter and amend the usury laws be the first item on the order of the day for Monday next, after receiving reports.
London Police bill read 2d time and committed.		Pursuant to the order of the day, the London Police bill was read the second time. The House was put into a committee of the whole on the bill. Mr. Cook in the chair. Mr. Speaker resumed the chair, Black Rod being at the door. Mr. Speaker left the chair. The chairman resumed the chair of committee. The House resumed.
Bill reported.		The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

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

3d reading to-morrow.

Mr. Speaker reported that he had received from the Secretary of the St. Lawrence Inland Marine Assurance Company a letter, with a return of the affairs of that institution.

Speaker reports return from St. Lawrence Assurance Co.

The letter and return are as follows :

ST. LAWRENCE I. M. ASSURANCE COMPANY,
Prescott, January 9th, 1840.

Sir,

I have the honor of transmitting you herewith, the annual return of the St. Lawrence Inland Marine Assurance Company (for the year ending 31st December, 1839,) to be laid before the Provincial Parliament, as required by the Act of Incorporation.

Letter accompanying return.

I have the honor to be, Sir,

Your obedient humble servant,

A. JONES,
Secretary.

The Honorable

SIR ALLAN McNAB,
Speaker House of Assembly,
Toronto.

*RETURN by the St. Lawrence I. M. Assurance Company to Parliament,
for the year 1839.*

	£	s.	d.	£	s.	d.	
The amount of Capital Stock subscribed is one hundred thousand pounds currency, of which ten per cent, or ten thousand pounds, have been paid in.							Return from St. Lawrence I. M. Assurance Company.
The funds and property of the Company consist of the following, viz :							
400 Shares Stock in the Gore Bank, at £12 10s. each, amounting, at par value, to.....	5000	0	0				
107 Shares Stock in the Commercial Bank of the Midland District, at £25 each, amounting, at par value, to.....	2675	0	0				
79 Shares Stock in the City Bank of Montreal, at £25 each, amounting, at par value, to.....	1975	0	0				
28 Shares Stock in the Bank of Upper Canada, at £12 10s. each, amounting, at par value, to.....	350	0	0				
Bills receivable,				10,000	0	0	
Balance of accounts due.				3,445	9	0½	
				£1,5445	9	0½	
The property insured, during the past year, amounted to.....	£331,111	3	9½				
The premium charged on the above, amounted to.....	3,416	3	3				
The amount of losses, paid by the Company, is.....	791	16	4				
The claims for losses, unsettled, amount to about.....	1,115	0	0				

Justus S. Merwin, President, and Alpheus Jones, Secretary, of the St. Lawrence Inland Marine Assurance Company, severally make oath, that the above Return is just and correct, according to the best of their knowledge and belief.

J. S. MERWIN,
President.

A. JONES,
Secretary.

Sworn before me, at Prescott, }
this Ninth day of January, 1840. }

H. D. JESSUP, J. P.

Speaker reports messages from Leg. Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two messages.

Messages.

The Messages were read as follows :

Mr. SPEAKER:

Bill to cover contingencies.
Q. B. Reporter regulation bill.
Huron enlargement bill.
Passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to make good certain moneys advanced in compliance with the address of the House of Assembly during the last session of the Legislature, for the contingent expenses thereof;" also, the bill entitled, "An Act for the better regulation of the office of Reporter to the Court of Queen's Bench in this Province;" and also the bill entitled, "An Act to attach certain townships to the county of Huron," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Fourteenth day of January, 1840. }

Mr. SPEAKER :

Leave to Hon. Messrs. Dunn and Macaulay to attend sel. committee.

The Honorable Messieurs Dunn and John Macaulay have leave to attend a select committee of the Commons House of Assembly, as desired by that House in their message received this day, if they think fit.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Sixteenth day of January, 1840. }

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

Committee appointed to search Leg. Council Journals respecting Dalhousie tax bill.

Ordered—That a committee be appointed to examine the Journals of the Honorable the Legislative Council, to ascertain what proceedings have taken place upon the bill sent from this House, entitled, "An Act to levy an additional tax for the purpose of building a Gaol and Court House at Bytown in the District of Dalhousie," and that Messrs. Rykert and Sherwood be a committee for that purpose.

Bill to amend Militia law respecting fines, brought in.

Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill to amend the Militia laws of this Province, relating to the imposition of fines in certain cases.

Bill read.

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

2d reading to-morrow.

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

Prince Edward Bank bill read second time and committed.

Pursuant to the order of the day the Prince Edward Bank bill was read the second time.

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

Mr. Morris in the chair.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading to-morrow.

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

Com. of whole on report on petition of Magistrates of Niagara (debt)

Pursuant to the order of the day, the House was again put into a committee of the whole on the petition of the magistrates of the district of Niagara, respecting the debts of the district.

Mr. Bockus in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put and carried as follows:

Resolved—That it is expedient to authorize the magistrates of the district of Niagara, in Quarter Sessions assembled, to raise, by way of loan, a sum not exceeding two thousand pounds, nor less than twelve hundred pounds, for the purpose of liquidating the debt of the District, the same to be paid by an additional tax of a sum not exceeding one farthing in the pound in any one year, to be levied on the inhabitant householders of the said district; and in the event of their not being able to obtain a loan, to levy the like rate for the same purpose until the said debt be fully paid and satisfied. Resolution.

Pursuant to the order of the day, the bill to increase the capital stock of the Commercial Bank of the Midland District was read the second time. Bill to increase Commercial Bank stock read 2d time and committed.

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

Mr. Richardson in the chair.

The House resumed.

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

The report was received.

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

Adjourned.

FRIDAY, 17th January, 1840.

The House met.

The minutes of yesterday were read.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled, "An Act to establish a College at Kingston, by the name and style of the University of Queen's College," as amended by this House, was read the third time and passed. Queen's College bill (L. C.) passed.

Messrs. Morris and Bockus were ordered by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request the concurrence of that Honorable House to the amendments.

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

By Mr. Small, the petition of Thomas Elliot, of the city of Toronto, late a tavern-keeper. T. Elliot.

By Mr. Parke, the petition of Israel Lewis, of the township of Wilberforce, in the district of London. Israel Lewis.

By Mr. Chisholm, of Halton, the petition of the President and Directors of the Gore Bank. President and Directors Gore Bank.

By Mr. Cook, the petition of the Trustees of the Lutheran Congregation, in the township of Williamsburgh, in the Eastern District. Trustees of Lutheran Congregation at Williamsburgh.

By Mr. Solicitor General, the petition of Joseph Cawthra, and three hundred and sixty-one others, of the city and liberties of Toronto. J. Cawthra and 361 others.

And by Mr. Bockus, the petition of Joseph Dailey, and fifty-three others, of the town of Picton and township of Hallowell, (Prince Edward; and the petition of Griffith Howell, J. P., and one hundred and thirty-eight others, of the district of Prince Edward. J. Dailey and 53 others
G. Howell and 138 others.

- Hallowell division bill, read 3d time and passed. Pursuant to the order of the day, the bill to divide the township of Hallowell was read the third time and passed.
- Title. Mr. Bockus, seconded by Mr. Armstrong, moves that the bill be entitled "An Act for dividing the township of Hallowell in the district of Prince Edward."
- Bill sent to Leg. Council Which was carried, and Messrs. Bockus and Armstrong were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.
- London Police bill read third time. Pursuant to the order of the day, the London Police bill was read the third time.
- Division on passing. On the question for passing the bill, the yeas and nays were taken as follows :

Y E A S .

- Yeas—26. Messrs. *Armstrong, Bockus, Boulton, Burritt, Burwell, Caldwell, Chisholm of Halton, Deltor, Duncombe, Ferrie, Jarvis, Kearnes, Lewis, Malloch, Mathewson, McDonell of Glengarry, McLean, Prince, Richardson, Rykert, Salmon, Shaver, Sherwood, Small, Solicitor General, Thomson*—26.

N A Y S .

- Nays—6. Messrs. *Cook, McIntosh, McMicking, Moore, Parke, Thorburn*—6.
- Carried—majority 20. The question was carried in the affirmative by a majority of twenty, and the bill was passed.
- Title. Mr. Burwell, seconded by Mr. Salmon moves that the bill be entitled "An Act to define the limits of the town of London, in the district of London, and to establish a Board of Police therein."
- Bill sent to Leg. Council Which was carried, and Messrs. Burwell and Salmon were ordered by the Speaker to carry the bill up to the Honourable the the Legislative Council and to request their concurrence thereto.
- Prince Edward Bank bill read third time and passed. Pursuant to the order of the day, the Prince Edward Bank bill was read the third time and passed.
- Title. Mr. Bockus, seconded by Mr. Armstrong, moves that the bill be entitled "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Prince Edward District Bank."
- Bill sent to Leg. Council Which was carried, and Messrs. Bockus and Armstrong were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council and to request their concurrence thereto.
- Bill to increase stock of Commercial Bank read third time. Pursuant to the order of the day, the bill to increase the capital stock of the Commercial Bank of the Midland District, was read the third time.
- On the question for passing the bill,
- In amendment*—Mr. Morris, seconded by Mr. Bockus, moves that the bill do not now pass, but that it be recommitted forthwith for the purpose of amending the same.
- Bill recommitted. Which was carried, and the House was put into a committee of the whole on the bill.
- Mr. Sherwood in the chair.
- The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- On the question for the third reading of the bill, as amended, to-morrow.
- In amendment*—Mr. Morris, seconded by Mr. Bockus, moves that the bill, as amended, be not read a third time on to-morrow, but that it be read a third time forthwith, and that the forty-first rule of this House be dispensed with so far as relates to the same.
- Bill passed. Which was carried, and the bill was read the third time and passed.

Mr. Morris, seconded by Mr. Attorney General, moves that the bill be entitled "An Act for altering and amending the charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the Capital Stock of the company."

Which was carried, and Messrs. Attorney General and Morris were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

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

Of F. K. Carey, of the township of Delaware, in the district of London, and two hundred and fifty-five others praying for authority to the said F. K. Carey to construct a Mill Dam across the River Thames, at or near Killworth.

Of Malcolm Cameron, and fifty-four others, of Sarnia, in the Western District praying for an alteration in the present system of Common School Education.

Of James Coleman, and one hundred and twenty-three others, of Dundas, West Flamboro' and the adjoining townships, in the District of Gore, praying for an increase of the Capital Stock of the Commercial Bank of the Midland District.

Of John Smith, praying remuneration for injury done to his property in Mucadamizing the road from Hamilton to Brantford.

And of John W. H. Millar, and thirty-two others, praying for certain alterations in the law of treason.

Mr. Cook, seconded by Mr. Morris, moves that the petition of the trustees of the Lutheran congregation of Williamsburgh be now read ; and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the petition of the trustees of the Lutheran Congregation of the township of Williamsburgh, in the Eastern District, complaining that their Minister, having joined the Church of England, retained possession of the Church property of the Lutherans, and that the same has since been constituted a Rectory ; and praying relief—was read.

Mr. Chisholm, of Halton, seconded by Mr. Richardson, moves that the petition of the President and Directors of the Gore Bank be now read ; and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the petition of the President and Directors of the Gore Bank, praying for an increase of their Capital Stock—was read.

Mr. Boulton, seconded by Mr. Detlor, moves that the petition of David Smart, and others, be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the petition of David Smart, President of the Agricultural Society, and two thousand four hundred and thirty-seven others, of the county of Durham, praying that articles essential for the promotion of Agriculture may be admitted into the Province free of duty, and that the duty on foreign produce may be increased, —was read.

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

Ordered—That the petition of the trustees of the Lutheran Congregation of Williamsburgh, be referred to a committee to be composed of Messrs. Thomson, Ruttan and Boulton, with power to send for persons and papers and to report thereon.

On motion of Mr. Chisholm of Halton, seconded by Mr. Richardson.

Ordered—That the petition of the President and Directors of the Gore Bank be referred to a select committee, consisting of Messrs. Shade and Detlor, with power to report thereon by bill or otherwise.

On motion of Mr. McLean, seconded by Mr. McDonell, of Glengarry.

Ordered—That the petition of J. W. H. Millar, and others, be referred to a select committee, consisting of Messrs. Sherwood, Boulton and Cartwright.

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

Ordered—That the petition of David Smart, and others, be referred to a select committee, to consist of Messrs. Merritt, Robinson and Bockus, to report thereon.

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

Resolution on Niagara tax referred to sel. com.

Ordered—That the Resolution adopted by this House, relating to the imposition of an additional tax in the district of Niagara, be referred to a select committee, to be composed of Messrs. Thorburn and Chisholm of *Hallon*, with power to report thereon by bill or otherwise.

Leave of absence granted to Mr. Jarvis.

Mr. Solicitor General, seconded by Mr. McLean, moves that George S. Jarvis, Esquire, member of this House for the town of Cornwall, have leave of absence during the remainder of the Session.

Which was granted.

Notices :
Of com. of whole on supply.

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

Of bill to amend Rideau Canal Act.

Mr. Mathewson gives notice that he will on to-morrow, move for leave to bring in a bill to alter and amend an act passed in the third Session of the ninth Parliament, entitled "An Act to confer upon His Majesty certain powers and authorities, necessary to the making, maintaining, and using, the canal for connecting the waters of Lake Ontario with the River Ottawa, and for other purposes therein mentioned."

Committee report Niagara tax bill.
Bill read.

Mr. Thorburn, from the committee to draft a bill pursuant to the resolution of this House to authorize the levying an additional assessment on the District of Niagara, reported a draft, which was received and read the first time.

2d reading to-morrow.

Ordered—That the bill to levy an additional assessment on the District of Niagara, be read a second time to-morrow.

Sel. com. on petition of President and Directors of Gore Bank, report Gore Bank stock increase bill.

Mr. Chisholm, of *Hallon*, from the select committee to which was referred the petition of the President and Directors of the Gore bank, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the first time.

2d reading to-morrow.

Ordered—That the bill to increase the Capital Stock of the Gore Bank, be read a second time to-morrow.

Committee to search Journals of Leg. Council on Dalhousie tax bill, present report.

Mr. Sherwood, from the committee appointed to search the Journals of the Honourable the Legislative Council on the subject matter of the bill entitled "An Act to authorize the levying an additional tax for the purpose of building a Gaol and Court House at Bytown, in the District of Dalhousie," presented a report, which was received, and read as follows :—

Report.

To the Honorable the Commons House of Assembly, in Provincial Parliament assembled :

The Committee appointed to search the Journals of the Honorable the Legislative Council, on the subject of a bill sent up by the Commons House of Assembly, entitled, "An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie, beg leave to present the following report:—

" MONDAY, 30th December, 1839.

"Deputation from the Commons House of Assembly brought up a bill, entitled, 'An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie,' to which they requested the concurrence of this House, and then withdrew. Said bill was then read, and it was *Ordered*,—That the same be read a second time to-morrow."

" TUESDAY, 31st December.

"Pursuant to the order of the day, the bill, entitled, 'An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie,' was read a second time, and it was *Ordered*—That the same be referred to a select committee, to report thereon; and *Ordered*—That the Honorable Messieurs Allan and Sullivan do compose the same for that purpose."

" TUESDAY, 7th January, 1840.

"The Honorable Mr. Allan, from the select committee, to whom was referred the bill, entitled, 'An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie,' presented their report. *Ordered*—That it be read, and the same was then read by the Clerk, as follows:—

"The select committee, to whom was referred the bill sent up from the House of Assembly, entitled, 'An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie,' beg leave to report:—That they find the notice

in the *Upper Canada Gazette*, required by a rule of your Honorable House, inserted for the first time on the 15th of July last, and continued till the 21st November last. Report.

“ They also find that no petition on the subject has been presented to your Honorable House.

“ Your committee are induced to look upon the omission to insert the notice in the *Gazette*, at an earlier period, as arising from the expectation, that the Legislature would not be assembled at so early a time as it has been called together; and as it appears by the preamble of the bill, that a petition from the Magistrates, residing within the townships forming the new district, has been presented to the House of Assembly, your committee hope that the want of a petition to your Honorable House will not prove an obstacle to entertaining the measure, as much inconvenience may, in this case, result from a rigid adherence to the rules of your Honorable House.

“ Your committee, therefore, respectfully recommend that the rules of your Honorable House, requiring notice and petition, may, in this instance, be dispensed with.

“ Your committee have perused and considered the bill sent up from the House of Assembly, and think it would be most convenient to follow the ordinary course of raising rates, for the purpose of repaying loans created for the purpose of building Gaols and Court Houses in new districts.

“ They, therefore, respectfully recommend that after the word “Dalhousie,” in the fifth line, in the original bill, the whole be expunged, and the following inserted:—

“ W. ALLAN,

“ CHAIRMAN.

“ Committee Room,
“ Seventh day of January, 1840. }

“ WHEREAS it is expedient to provide, by an increased assessment, for the repayment of any sum of money which shall be raised by way of loan, for the erection of a Gaol and Court House in the new district of Dalhousie, under the provisions of an Act passed in the Parliament of this Province, entitled, “An Act to erect certain townships, now forming part of the districts of Bathurst, Johnstown, and Ottawa, into a separate district, to be called the district of Dalhousie, and for other purposes therein mentioned.” *Be it therefore enacted, &c.* That so soon as the said district of Dalhousie shall be erected and proclaimed, according to the said Act, it shall and may be lawful for Her Majesty’s Justices of the Peace, residing within the said district, to direct and order the levy of an increased rate, not exceeding one penny in the pound, over and above the ordinary assessment, on all ratable property within the said district, which said new rate shall be applied in payment of the interest and principal of any sum which shall be raised under the authority of the said Act, and which said increased rate shall continue to be raised, levied, and collected, until the sum so borrowed, and the interest thereon, shall be fully paid and discharged, and no longer.

“ And be it further enacted, &c. That it shall be the duty of the Clerk of the Peace, in the said district of Dalhousie, to add to the assessment lists thereof the said increased rate, and that the sums shall be collected in the same manner as other rates and assessments within the said district, and received and accounted for, and applied by the Treasurer of the said District, in pursuance of the provisions of this Act.”

“ On motion made and seconded, it was Ordered—That the said bill, and the report of the select committee thereon, be referred to a committee of the whole House to-morrow.”

“ TUESDAY, 9th January.

“ Pursuant to the order of the day, the House was put into a committee of the whole upon the bill, entitled, ‘An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the district of Dalhousie,’ and the report of the select committee thereon. The Honorable Mr. Elmsley took the chair. After some time the House resumed.”

All which is respectfully submitted.

HENRY SHERWOOD. •

GEORGE RYKERT.

Mr. McLean, from the select committee to which was referred the petition of Charles A. Low, and one hundred and twenty-one others, of the Eastern District, and District of Ottawa, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Sel. com. on petition of C. A. Low and 121 others, report Cornwall and L’Original road continuation bill.

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

Bill read.

Ordered—That the bill to continue the improvement of the Cornwall and L’Original road, be read a second time to-morrow.

2d reading to-morrow.

Sel com. on petition of R. D. Chatterton and others, report bill to amend Cobourg Police Act.

Mr. Boulton, from the select committee to which was referred the petition of Richard D. Chatterton, and others informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the first time.

2d reading to-morrow.

Ordered--That the bill to amend the Cobourg Police Act be read a second time to-morrow.

Com. on roads and bridges report address on expenditure of £50,000 on roads and bridges.

Mr. Detlor, from the committee on Roads and Bridges, reported, as a second report, the draft of an address to His Excellency the Governor General, respecting the expenditure of the sum of £50,000, granted for the improvement of Roads and Bridges.

Address read.

The report was received, and the address was read the first time.

On the question for the second reading of the address to-morrow.

In amendment--Mr. Detlor, seconded by Mr. Gamble, moves that the address be not read a second time on to-morrow, but that it be read a second time forthwith.

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

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

Mr. Boulton in the chair.

The House resumed.

Address read 2d time and committed.

The chairman reported that the committee had made some progress in the address and asked leave to sit again to-morrow.

Progress reported--sit again to-morrow.

The report was received, and leave granted accordingly.

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

Address to His Exc'y for certain population and assessment returns ordered.

Ordered--That an humble address be presented to His Excellency the Right Honourable the Governor General, praying that His Excellency will be pleased to direct returns to be made to this House, of the population of the Province at the time the first census was taken, and of the number of the population in 1815, 1820, and 1830.

Abstracts of the Assessment Rolls for the District of Bathurst in 1815, 1820, and 1830, and separate returns of the population of that district for the same periods.

Copies of the assessment rolls of that portion of the district of Newcastle, lying on the north-west side of the Rice Lake, and separate returns of the population for the years 1815, 1820, and 1830.

Also, returns of the number of surveyed townships in the Province in 1800, in 1812, and at the time the administration was assumed by Sir Peregrine Maitland;--separate returns of the number of townships surveyed during the administration of the Government by that Officer, and during the administration of Sir John Colborne, and Sir Francis Bond Head; and also the quantity of land unappropriated and open to location within the Province.

•And that Messrs. Bockus and Salmon be a committee to draft and report the address; and that the thirty-first rule of this House be dispensed with so far as respects the same.

Order of day for second reading of Toronto Incorporation amendment bill called.

On the order of the day for the second reading of the Toronto Incorporation amendment bill being called,

Bill to be first item on Tuesday.

In amendment--Mr. Solicitor General, seconded by Mr. McLean, moves that the bill be not now read a second time but that it be read a second time on Tuesday next, and be the first item on the order of the day.

Which was carried and ordered.

Pursuant to notice, Mr. McKay, seconded by Mr. Kearnes, moves that this House do resolve itself into a committee of supply, to enable him to move a resolution authorizing the imposition of _____ in the pound on all ratable property in the new District of Dalhousie, for the purpose of erecting a Gaol and Court House.

Com. of supply on taxing Dalhousie District, (2d.)

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

Mr. Sherwood in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received, and the resolution was adopted, as follows:—

Resolved—That there be raised, levied, and collected, an additional rate of one penny in the pound, on all ratable property in the district of Dalhousie, for the erection of a Gaol and Court House therein Resolution.

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

Ordered—That Messrs. Boulton and Sherwood, be a committee to draft and report a bill pursuant to the foregoing resolution. Committee to draft bill on resolution.

Pursuant to notice, Mr. Thorburn, seconded by Mr. Shaver, moves that an humble address be presented to His Excellency the Governor General, requesting His Excellency to cause to be laid before this House, a statement of the number of suits brought in the Court of Chancery since its commencement, showing the progressive increase of such suits in each year, the number of suits actually adjudicated upon, together with the costs taxed and allowed on each suit, and also the amount of fees paid to the Register on each suit, and a return of the emoluments of the Office of Register for the last year; and that Messrs. Prince and Hotham be a committee to draft and report the same. Address to His Excellency for return of suits in Chancery ordered.

Which was carried and ordered.

Mr. Boulton, from the committee to draft a bill pursuant to the resolution of this House authorizing the levying an additional assessment on the intended new District of Dalhousie, reported a draft, which was received and read the first time. Committee report Dalhousie tax bill (2d.)

Bill read.

Ordered—That the bill to levy an additional assessment on the district of Dalhousie be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the bill sent down by the Honourable the Legislative Council, entitled “An Act to naturalize Elijah Nellis,” was read the second time. Bill to naturalize E. Nellis (L. C.) read 2d time and committed.

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

Mr. Shaver in the chair.

The House resumed.

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

The report was received.

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

Pursuant to notice, Mr. Boulton, seconded by Mr. Elliott, moves that the House do resolve itself into a committee of supply for the purpose of providing remuneration to persons whose property may be destroyed by incendiaries. Com. of supply on destruction of property by incendiaries.

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

Mr. Prince in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution which he was directed to submit it for the adoption of the House. Resolution reported.

The report was received.

The Resolution was put as follows:

Resolved—That it is expedient to provide for the remuneration of persons whose property may be destroyed by incendiaries, by an assessment on the district in which the property is situated. Resolution.

On which the yeas and nays were taken as follows:

Y E A S.

Division on resolution.

Messrs. Bookus, Boulton, Deltor, Duncombe, Elliott, Gowan, Hotham, Kearnes, Lewis, Malloch, Mathewson, McDonell of Stormont, McLean, Merritt, Powell, Prince, Ruttan, Sherwood, Solicitor General, Thomson—20. Yeas—20.

N A Y S .

Nays—13.

Messrs. *Caldwell, Cook, Gamble, McIntosh, McMicking, Moore, Morris, Parke, Richardson, Rykert, Shaver, Thorburn, Woodruff*—13.

Carried—majority 7.

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

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

Committee to draft bill on resolution.

Ordered—That the resolution on the subject of providing remuneration to persons whose property may be destroyed by incendiaries, be referred to a select committee to consist of Messrs. Ruttan and Prince, to draft and report a bill thereon.

Lower Canada bank agency bill read 2d time and committed.

Pursuant to the order of the day, the bill to authorize the Banks in Lower Canada to carry on business in this Province, was read the second time.

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

Mr. Powell in the chair.

The House resumed.

No quorum.

The chairman reported that the committee had risen for want of a quorum.

P R E S E N T .

Members present.

Messrs. *Bockus, Chisholm of Halton, Duncombe, Ferrie, Malloch, Mathewson, McIntosh, McKay, Merritt, Morris, Powell, Rykert, Shaver, Solicitor General*—15.

At half-past five of the clock, P. M., Mr. Speaker declared the House adjourned for want of a quorum.

SATURDAY, 18th January, 1840.

The House met.

The minutes of yesterday were read.

Committee of whole on Lower Canada bank agency bill.

The committee of the whole on the bill to authorise the Banks of Lower Canada to carry on business in this Province, resumed.

Mr. Powell in the chair.

The House resumed.

Bill reported.

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

The report was received.

3d reading Monday.

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

Petitions brought up:

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

J. Adam.

By Mr. Thorburn, the petition of J. Adam, Chairman, at the Annual Township Meeting of Oro, in the Home District.

J. P. Rubidge and 49 others.

• By Mr. Ruttan, the petition of John P. Rubidge, and forty-nine others, of the town of Peterborough and its vicinity.

W. Bettridge and 370 others.

By Mr. Hunter, the petition of William Bettridge, and three hundred and seventy others, Shareholders of the Great Western Rail Road Company, and others, residing in the towns and villages of Hamilton, Dundas, Ancaster, Brantford, Paris, Woodstock, Beachville, Ingersol, London, St. Thomas, Delaware, Chatham, Sandwich, and Sarnia.

By Mr. Prince, the petition of William M. Steers, Clerk in the office of the Adjutant General of Militia. W. M. Steers.

By Mr. Sherwood, the petition of W. Kingsmill, Esquire, Collector of Customs at Port Hope. W. Kingsmill.

By Mr. Merritt, the petition of William Fitch, and one hundred and nineteen others, of the district of Niagara; and the petition of William Fitch, and one hundred and fifty-six others, of the same district. W. Fitch and 119 others.
W. Fitch and 156 others.

By Mr. McDonell, of Stormont, the petition of William Fraser, of the township of Cornwall, in the Eastern District. W. Fraser.

By Mr. Parke, the petition of Charles W. Paul, and ninety-three others. C. W. Paul and 93 others.

And by Mr. Gamble, the petition of William Dixon, and six others, of the township of Scarborough, (York). W. Dixon and 6 others.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled, "An Act to naturalize Elijah Nellis," was read the third time and passed. Nellis' naturalization bill, (L. C.) read 3d time and passed.

Messieurs Hunter and Burwell were ordered by the Speaker, to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House, that this House had agreed to the same without amendment. Bill returned to Leg. Council.

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

Of Chauncey Yale, of the town of London, praying to be naturalized.

Petitions read:

C. Yale.

Of William Bridgman and eighty-three others, of the district of Niagara, praying that the prayer of the petition of the Magistrates of the said district, for levying an additional assessment therein may not be acceded to. W. Bridgman and 83 others.

Of Charles Sayre and eighty-eight others, of the township of Hillier, (Prince Edward) praying that a duty may be levied on produce, imported into this Province from the United States. C. Sayre and 88 others.

Of Joseph Turton, Builder, praying to be paid the balance of his claim for erecting the Parliament Buildings. J. Turton.

And of Lucinda Beatty, of the City of Toronto, praying for pecuniary assistance to support her son, who is lunatic. L. Beatty.

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

Ordered—That the petition of Malcolm Cameron, and others, be referred to the committee of the whole House on supply for the support of Common Schools. *Petitions referred:*
Of M. Cameron and others, to com. of supply on common schools.

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

Ordered—That the petition of Charles Sayre, and others, be referred to the committee on finance. Of C. Sayre and others, to committee on finance.

On motion of Mr. Parke, seconded by Mr. Cook,

Ordered—That the petition of F. K. Carey, and others, be referred to a select committee, to consist of Messrs. Burwell and Ferrie, to report thereon by bill or otherwise. Of F. K. Carey, and others, to sel. committee.

Mr. Ruttan, from the committee to draft a bill pursuant to the resolution of this House, respecting the destruction of property by incendiaries, reported a draft, which was received and read the first time. Bill to indemnify sufferers by incendiarism reported.
Bill read.

Ordered—That the bill to indemnify persons for the destruction of their property by incendiaries be read a second time on Monday next. 2nd reading Monday.

Mr. Sherwood, from the committee on Banking, to which was referred the petition of the President and Directors of the Bank of Upper Canada, presented, as a second report, the draft of a bill. Com. on Banking, on petition of President and Directors of U. C. Bank, report U. C. Bank stock increase bill.
Bill read.

The report was received, and the bill to increase the capital stock of the Bank of Upper Canada was read the first time.

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

In amendment—Mr. Solicitor General, seconded by Mr. Gamble, moves that the bill be not read a second time on Monday next, but that it be read a second time forthwith; and that the 40th rule of this House be dispensed with so far as relates to the same.

- Bill read 2nd time and committed. Which was carried, and the bill was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Bockus in the chair.
The House resumed.
- Bill reported. The chairman reported that the committee had agreed to the bill, without amendment and submitted it for the adoption of the House.
The report was received.
- 3d reading on Monday, Address for return of suits in Chancery reported. *Ordered*—That the bill be engrossed and read a third time on Monday next.
Mr. Prince, from the committee to draft an address to His Excellency the Governor General for a return of the suits in Chancery, reported a draft, which was received and read the first time.
- 2d reading Monday. Address for certain population and assessment returns reported. Address read. *Ordered*—That the address be read a second time on Monday next.
Mr. Bockus from the committee to draft an address to His Excellency the Governor General, for certain population and assessment returns, &c., reported a draft, which was received and read the first time.
On the question for the second reading of the address on Monday next.
In amendment—Mr. Bockus seconded by Mr. Malloch, moves that the address be not read a second time on Monday next but that it be read a second time forthwith.
- Address read 2nd time and committed. Which was carried, and the address was read the second time.
The House was put into a committee of the whole on the same.
Mr. Caldwell in the chair.
The House resumed.
- Address reported. The chairman reported that the committee had agreed to the address, without amendment and submitted it for the adoption of the House.
The report was received.
- 3d reading Monday. Select com. on address on Midland Dist. School reservations, report address. His Excellency the Governor General respecting certain school land reservations in the Midland District, reported the address.
The report was received and the address was read the first time.
- Address read. *Ordered*—That the address be read a second time on Monday next.
- 2d reading Monday. Farmer's Bank bill read 2nd time and committed. Pursuant to the order of the day, the Farmers' Bank bill was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Shaver in the chair.
The House resumed.
- Progress reported, sit again to-day. The chairman reported that the committee had made some progress in the bill and asked leave to sit again this day.
The report was received, and leave granted accordingly.
- House waits on His Excellency with address to Her Majesty on Union. At one of the clock, p. m., the House waited on His Excellency the Governor General with its address to His Excellency praying him to transmit to Her Majesty the address on the subject of the proposed union of Upper and Lower Canada, and being returned.
- Speaker reports answer. Mr. Speaker reported the delivery of the same, and that His Excellency had been pleased to make thereto the following answer:—

GENTLEMEN,

In compliance with your wishes, I shall forward this address to the Principal Secretary of State, to be laid at the Foot of the Throne. Answer.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Farmers' Bank bill. Committee of whole on Farmer's Bank bill.

Mr. Shaver in the chair.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

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

The report was received.

Ordered — That the bill be engrossed and read a third time on Monday next. 3rd reading Monday.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents. Speaker reports messages from Gov. General.

The messages were read by the Speaker as follows :

C. POULETT THOMSON,

In answer to the address from the House of Assembly of the second instant, the Governor General has to inform them, that the address on the subject of the Tolls on the Rideau Canal, adopted by the House last year, was, with the accompanying documents, transmitted by the Lieutenant Governor to the Governor General. Whether Sir John Colborne communicated on the subject with the Home Government, the Governor General is unable, without reference to the archives of Lower Canada, to state ; but it appears that fully impressed with the importance of removing the obstruction to the navigation, caused by the Saint Ann's Rapids, Sir John Colborne directed a survey of those rapids to be made, and an estimate to be drawn up of the expense of constructing a canal to avoid them. That estimate having been prepared, tenders for the completion of the work have since been called for, and are now under the consideration of the Governor General. The House of Assembly may be assured, that in deciding on those tenders, and on the course which it may be his duty to pursue, the Governor General will be most anxious to contribute to the utmost of his power to the removal of the obstacle hitherto presented by these rapids, to the water communication of the country above Montreal with the Ocean. Message on Rideau Canal.

Toronto,

Seventeenth January, 1840.

C. POULETT THOMSON,

The Governor General transmits herewith, for the information of the House of Assembly, the copy of a memorial addressed to His Excellency the Lieutenant Governor, by the commissioners appointed by the Act 7th, William IV, ch. 83, for building the bridge over the "Thames" at Chatham. Message, with Memorial from Commissioners of Chatham bridge.

The House will perceive that as the erection of the bridge at the site originally selected would have interfered with the Military Reserve, on which Barracks were about to be built, by direction of the Commander of the Forces, the Lieutenant Governor, with the advice of His Executive Council, felt bound to arrest the proceedings of the commissioners, and to approve of the construction of the bridge at another spot.

This change is stated by the commissioners to have caused an excess of expenditure of three hundred and fifty-nine pounds, the payment of which they now solicit.

The Governor General therefore would submit to the House of Assembly, the propriety of making provision for the expense thus unavoidably incurred for the construction of the bridge, beyond the sum previously appropriated to it, by the Legislature.

Toronto,

Eighteenth January, 1840.

C. POULETT THOMSON,

Message, with certain returns from Canada Company.

In compliance with the address from the House of Assembly of the 8th instant, the Governor General transmits to the House herewith, the copy of a letter from the commissioner of the Canada Company, enclosing returns of the Lands disposed of by the Company, together with the names of the settlers; and stating the amount expended by the Company on public works, under minutes of the Executive Council.

Toronto,
Eighteenth January, 1840.

For—*Memorial from Commissioners of Chatham Bridge; and Returns from Canada Company*—See Appendix.

Address to Governor General for return of school lands granted, ordered

Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, an account of all lands that have been granted for the support of schools within this Province, together with a full account of the manner in which such lands have been disposed of, and what (if any) funds are now available for the support of Common Schools within this Province; and also what exchanges have been made of school lands, and for whose benefit; and that Messrs. Morris and Burwell be a committee to draft and report said address.

Which was carried and ordered.

Ottawa land sale bill read second time and committed.

Pursuant to the order of the day, the bill to confirm certain sales of land for taxes in the district of Ottawa was read the second time.

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

Mr. McMicking in the chair.

The House resumed.

Progress reported—sit again Monday.

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

On receiving report,

On the question for receiving the report,

Amendment moved—to sit on Friday, 1st item.

In amendment--Mr. Hotham, seconded by Mr. Richardson, moves that the committee do not sit again on Monday next, but that it sit again on Friday next, and that it be the first item on the order of the day for that day, after receiving reports.

Carried.

Which was carried and ordered.

100 copies to be printed

On motion of Mr. Hotham, seconded by Mr. Bockus.
Ordered--That one hundred copies of the Ottawa land sale bill be printed for the use of members.

Oakville Hydraulic Company bill read 2d time and committed.

Pursuant to the order of the day, the Oakville Hydraulic Company bill was read the second time.

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

Mr. Rykert in the chair.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading Tuesday.

Ordered--That the bill be engrossed and read a third time on Tuesday next.

Bill to increase stock of Gore Bank read second time and committed.

Pursuant to the order of the day, the bill to increase the capital stock of the Gore Bank was read the second time.

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

Mr. Morris in the chair.

The House resumed.

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

The report was received.

Ordered--That the bill be engrossed and read a third time on Monday next. 3d reading Monday.

Pursuant to notice, Mr. Thomson, seconded by Mr. Rykert, moves that an humble address be presented to His Excellency the Governor General, requesting His Excellency to inform this House whether any, and what, steps have been taken in regard to the confiscation of the property belonging to persons convicted of treason in this province, since December, 1837, and what property is liable to be so confiscated; and praying His Excellency that if no confiscations have been made, immediate steps may be taken in regard to the same, in order that this House may be fully informed as to the extent and situation of all property liable to be so confiscated;—and that Messieurs Caldwell and Burritt be a committee to draft and report said address. Address to Governor General on confiscation of property of traitors, ordered.

Which was carried and ordered.

Adjourned.

MONDAY, 20th January, 1840.

The House met.

The minutes of Saturday were read.

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

By Mr. Sherwood, the petition of William Stennett, and thirty-four others, of the City of Toronto. *Petitions brought up:*
W. Stennett and 34 others.

By Mr. Boulton, the petition of David Armstrong and Francis Henderson, captains in the 2d Regiment of Durham militia. D. Armstrong and F. Henderson.

By Mr. Burwell, the petition of Warner Nelles, J. P., and eighty-six others, of Caledonia in the county of Haldimand. W. Nelles and 86 others.

By Mr. Richardson, the petition of Lewis Donnelly, of the town of Niagara. L. Donnelly.

By Mr. Sherwood, the petition of Christopher Widmer, Esq., and two others. C. Widmer and 2 others.

And by Mr. Manahan, the petition of Æneas Bell. Æneas Bell.

Pursuant to the order of the day, the bill to authorize the Chartered Banks of Lower Canada to carry on business in this province, was read the third time and passed. Lower Canada Bank Agency bill read third time and passed.

Mr. Bockus, seconded by Mr. Ferrie, moves that the bill be entitled "An Act to authorize the Chartered Banks of Lower Canada to establish agencies, and carry on the business of banking within this province." Title.

Which was carried, and Messrs. Bockus and Ferrie were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the bill to increase the capital stock of the Bank of Upper Canada was read the third time and passed. Bill to increase stock of U. C. Bank read third time and passed.

Mr. Gamble, seconded by Mr. Sherwood, moves that the bill be entitled "An Act for altering and amending the charter of the President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said company." Title.

Bill sent to Leg. Council

Which was carried, and Messrs. Gamble and Sherwood were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Address for certain population and assessment returns, read third time and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General for certain population and assessment returns &c., was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that your Excellency will be pleased to direct that returns be made to this House of the population of the Province at the time the first census was taken, and of the number of the population in the years 1815, 1820, and 1830.

Abstracts of the assessment rolls for the part of the county, now forming the district of Bathurst, in the same years, of 1815, 1820, and 1830, and separate returns of the population of that district for the same periods.

Abstracts of the assessment rolls of that portion of the district of Newcastle, laying on the North-West side of the Rice Lake, and separate returns of the population of the same, for the years 1815, 1820, and 1830.

Also, returns the number of surveyed townships in the province in the years 1800, and 1812, and at the time that the administration of the Government was assumed by Sir Peregrine Maitland ; separate returns of the number of townships surveyed during the administration of the Government by that officer, and during the administration of Sir John Colborne and Sir Francis Bond Head ; and also, of the quantity of lands now unappropriated and open to location within the Province.

ALLAN N MACNAB,
SPEAKER.

Commons House of Assembly,
Twentieth day of January, 1840. }

Messrs. Bockus and Attorney General were ordered by the Speaker to wait upon His Excellency with the address, and to present the same

Pursuant to the order of the day, the Farmer's Bank bill was read the third time.

Farmers' Bank bill read third time.

On question for passing

On the question for passing the bill,

Amendment moved—
(Mr. Parke.)

In amendment—Mr. Parke, seconded by Mr. McMicking, moves that the bill do not now pass, but that the following be added as a rider to the same:—“AND WHEREAS, in the commencement of this Institution, many persons paid the amount of two per cent upon their stock subscribed for, and who, owing to subsequent circumstances differing from those presented to them at the time of subscribing, took no further interest in the Institution;—AND WHEREAS, the present stockholders have enjoyed, for their own benefit, the said two per cent, to the detriment of persons thus subscribing, and it is just that the said Bank return the same to all persons who have not thus far received back the said two per cent; *Be it therefore enacted by the authority aforesaid*, that it shall be obligatory on the Directors of the said Bank, and they are hereby required, on or before the first day of July next, to repay all persons applying for the same, the said two per cent, so paid as before recited.

Division on amendment

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

YEAS.

Yeas—6.

Messrs.—Chisholm of Glengarry, Cook, McCargar, McMicking, Moore, Parke—6.

N A Y S.

Messrs. *Aikman, Boulton, Burritt, Burwell, Deilor, Duncombe, Elliott, Gamble, Gowan, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McKay, McLean, Merritt, Muruey, Powell, Richardson, Robinson, Rykert, Salmon, Shade, Sherwood, Thomson, Wickens, Woodruff*.—27. Nays—27.

The question of amendment was decided in the negative, by a majority of twenty-one. Amendment lost—majority 21.

In amendment—Mr. Merritt, seconded by Mr. Rykert, moves that the bill do not now pass, but that the following be added as a rider :—“ *And be it further enacted by the authority aforesaid, That any private shareholders in the District of Niagara, or elsewhere, who have heretofore sold out their interest in this institution for the benefit of the stockholders generally, who now apply for this charter, shall have the amount so paid applied to their credit, in case they may hereafter become stockholders under the provisions of this act. provided application be made for the same within six months after the passing of this act.*” Another amendment moved—(Mr. Merritt.)

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

Y E A S.

Messrs. *Bockus, Chisholm*, of Glengarry, *Cook, Duncombe, Dunlop, Mathewson, McCargar, McDonell* of Stormont, *McKay, McMicking, Merritt, Richardson, Rykert, Shaver, Woodruff*.—15. Yeas—15.

N A Y S.

Messrs. *Aikman, Boulton, Burritt, Burwell, Cartwright, Deilor, Elliott, Gamble, Gowan, Hotham, Kearnes, Malloch, Manahan, McDonell* of Northumberland, *McLean, Morris, Murney, Parke, Powell, Robinson, Salmon, Shade, Sherwood, Solicitor General, Thomson, Wickens*.—26. Nays—26.

The question of amendment was decided in the negative by a majority of eleven. Amendment lost—majority 11.

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

Y E A S.

Messrs.—*Aikman, Bockus, Boulton, Burritt, Burwell, Deilor, Duncombe, Elliott, Gowan, Hotham, Kearnes, Manahan, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *McLean, McMicking, Morris, Murney, Parke, Powell, Richardson, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens, Woodruff*.—32. Yeas—32.

N A Y S.

Messrs. *Chisholm* of Glengarry, *Malloch, McCargar, Merritt*.—4. Nays—4.

The question was carried in the affirmative by a majority of twenty-eight, and the bill was passed. Bill passed—majority 28.

Mr. Sherwood, seconded by Mr. Thomson, moves that the bill be entitled “ *An Act to incorporate the Farmers’ Joint Stock Banking Company, under the style and title of the President, Directors and Company of the Farmers’ Bank.*” Title.

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

Pursuant to the order of the day, the bill to increase the capital stock of the Gore Bank, was read the third time, and passed. Bill to increase stock of Gore Bank read third time and passed.

Mr. Ferrie, seconded by Mr. Bockus, moves that the bill be entitled “ *An Act to increase the capital stock of the Gore Bank, and the number of shares to be held therein.*” Title.

Bill sent to Leg. Council

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

Petitions read :

T. Elliot.

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

Of Thomas Elliot, of the City of Toronto, late a tavern keeper, praying remuneration for furnishing the militia cavalry with lodging, fuel and candles, and also forage for their horses, in the winter of 1837-8.

Israel Lewis.

Of Israel Lewis, of the township of Wilberforce, in the district of London, praying that a company may be incorporated, to be called the "Wilberforce Benevolent School Company of Upper Canada," for the education of coloured persons and others, with a capital of £10,000.

J. Cawthra and 361 others.

Of Joseph Cawthra, and three hundred and sixty-one others, of the City and liberties of Toronto, praying that so much of the Act amending the Act incorporating said City as provides that one half of the Aldermen and Common Councilmen shall continue in office for two years, may be repealed.

J. Dailey and 53 others.

Of Joseph Dailey, and fifty-three others, of the town of Picton and township of Hallowell, (Prince Edward) praying that said township may not be divided.

G. Howell and 138 others.

And of Griffith Howell, J. P., and one hundred and thirty-eight others, of the district of Prince Edward, praying for the establishment of a Bank therein.

Mr. Richardson, seconded by Mr. Aikman, moves that the petition of Lewis Donnelly be now read, and the forty-first rule of this House dispensed with, so far as relates to the same.

L. Donnelly.

Which was carried, and the petition of Lewis Donnelly, of the town of Niagara, praying remuneration for the loss of his horse in Her Majesty's service, was read.

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of William Stennett and others be now read, and the forty-first rule of this House dispensed with, so far as relates to the same.

W. Stennett and 34 others.

Which was carried, and the petition of William Stennett, and thirty-four others, of the city of Toronto, praying for the establishment of a Bank in said city, to be called the Freeholders' Bank, was read.

Petitions referred:

Of W. Stennett and others, to select com.

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

Ordered—That the petition of William Stennett, and others, be referred to a select committee, consisting of Messrs. Rykert and Prince, with power to report thereon by bill or otherwise.

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

Ordered—That the petition of Israel Lewis be referred to a select committee, to consist of Messrs. Burwell and Merritt, to report thereon by bill or otherwise.

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

Ordered—That the petition of Lewis Donnelly be referred to a select committee, to be composed of Messrs. Rykert and Hotham, with power to send for persons and papers, and report thereon.

Of Israel Lewis, to select committee.

Of Lewis Donnelly, to select committee.

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

Ordered—That the petition of William Gamble, and others, be referred to a select committee, to be composed of Messrs. Boulton and Gamble, to report by bill or otherwise.

Of W. Gamble and others, to select com.

On motion of Mr. Prince, seconded by Mr. McCrae,

Ordered—That the message of His Excellency the Governor General, upon the memorial addressed to him by the commissioners appointed for building the bridge over the river Thames, at Chatham, be referred to a committee of the whole on supply, on Wednesday next, and that it be the first item on the order of the day, after receiving reports.

Message of His Exc'y on Chatham bridge, referred to com. of supply, on Wednesday, first item.

Report on petition of C. A. Low and others, referred to supply to-morrow.

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

Ordered—That the Report of the Committee on the petition of Charles A. Low and others be referred to a Committee of the whole on supply to-morrow.

Mr. Solicitor General gives notice that he will, on to-morrow, move for leave to bring in a bill to provide for the management of the temporalities of the Church of England in this Province by the members of the said Church, and to allow of private endowments of the same.

Mr. Boulton gives notice that he will, on Wednesday next, move that an humble Address be presented to His Excellency the Governor General, beseeching His Excellency not to give his assent to an Ordinance which has been brought before the Special Council in Lower Canada, in regard to certain property claimed by the Ecclesiastics of the Seminary of St. Sulpice, of Montreal.

Mr. Small gives notice that he will, on to-morrow, move an humble Address to His Excellency the Governor General, praying that His Excellency will be pleased to appoint, with as little delay as possible, two or more fit and proper persons in each and every District of this Province as Commissioners to investigate the accounts of the Treasurers of the said Districts, and to report to His Excellency, for the information of the Provincial Legislature, the state of the said offices, with the amounts received by each Treasurer for wild land assessment tax, and to whom such moneys have been paid by the several Treasurers.

Mr. Small gives notice that he will, on to-morrow, move that the House resolve itself into a Committee of the whole, for the purpose of taking into consideration the propriety of levying an additional rate of one halfpenny in the pound upon the inhabitants of the Home District, for the purpose of completing the new Gaol and Court House.

Mr. Shade gives notice that he will, on to-morrow, move that an humble Address be presented to His Excellency the Governor General, requesting that His Excellency will be pleased to appoint a commission to inquire into and report upon the charter of the Canada Company, and the expenses incurred and improvements made by said Company.

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

Ordered—That the Message of His Excellency the Governor General, on the subject of the tolls of the Rideau Canal, be referred to a select committee, to be composed of Messieurs Merritt, Bockus and McKay, to report thereon by Address or otherwise.

Mr. Burwell, from the select committee to which was referred the petition of Joseph B. Clench, Chairman, Quarter Sessions, of the District of London, presented a report, which was received and read.

Report—(See Appendix.)

Mr. Morris, from the committee to draft an Address to His Excellency the Governor General for a return of the lands granted for the support of common schools, reported a draft, which was received and read the first time.

On the question for the second reading of the Address to-morrow,

In amendment—Mr. Thomson, seconded by Mr. Cartwright, moves that the Address to His Excellency the Governor General on the subject of school lands be not read a second time on to-morrow, but that it be read a second time forthwith.

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

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

Mr. Merritt, from the select committee to which was referred the petition of D. Smart, and two thousand four hundred and thirty-seven others, of the county of Durham, reported the draft of an address to Her Majesty.

The report was received and the address was read the first time.

Ordered—That the address to Her Majesty on the Canada trade act be read a second time to-morrow.

Mr. Gamble, from the committee to wait on His Excellency the Governor General with the address for a copy of the reports of the commissioners for inquiring into the state of the public departments, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Notices:

Of bill to manage temporalities of Church of England.

Of address to Governor General respecting a certain ordinance of Lower Canada.

Of address to Governor General to appoint commissioners on District Treasurers' accounts.

Of com. of supply on taxing Home District.

Of address to Governor General to appoint commissioners on Canada Company.

Message of His Exc'y on Rideau Canal tolls, referred to sel. com.

Sel. com. on J. B. Clench, present report.

Address to Governor General on lands granted for schools reported. Address read.

Address read 2d time and concurred in. 3d reading to-morrow.

Sel. com. on petition of D. Smart and others, report address to H. M. on Canada Trade Act. Address read.

2d reading to-morrow.

Com. to carry up address for reports on public departments report answer.

GENTLEMEN,

Answer.

I can assure you that I have been most anxious to submit to you, in accordance with my declaration in my speech from the throne, the reports of the several commissioners referred to in your address, and I very much regret that I have hitherto been unable to do so; but some of these reports have not yet been made to me, and the extremely voluminous character of the documents appended to those which I have received has rendered it next to impossible for me to peruse or consider them, and the copying will still occupy a considerable time.

I will, however, give directions that those reports which I have received shall be laid before you with the utmost possible despatch.

Address to Governor General on confiscation of estates of traitors, reported.
Address read.

Mr. Burritt, from the committee to draft an address to His Excellency the Governor General respecting the confiscation of the estates of traitors, reported a draft, which was received and read the first time.

On the question for the second reading of the address to-morrow.

In amendment—Mr. Thomson, seconded by Mr. Boulton, moves that the address to His Excellency the Governor General on the subject of forfeited estates be not read a second time on to-morrow, but that it be read a second time forthwith.

Address read 2d time and committed.

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

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

Mr. Robinson in the chair.

The House resumed.

Address reported amended.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

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

Sel. com. on petition of C. Donaldson and others, present report.

Mr. Rykert, from the select committee to which were referred the petitions of Charles Donaldson, and ninety-six others, and Nathan Paulding and one hundred and thirty-nine others, presented a report, which was received and read.

Report—(See Appendix)

Sel. com. on message on Welland Canal Stock bill, present report and address to H. M. on the subject.

Mr. Rykert, from the select committee to which was referred that part of His Excellency the Governor General's message of the 14th instant, which relates to the bill to purchase the private stock in the Welland Canal, presented a report, and the draft of an address to Her Majesty, which was received.

The report was read.

Report—(See Appendix.)

Address read.

The address was read the first time.

2d reading to-morrow.

Ordered—That the address to Her Majesty, praying Her to assent to the bill for the purchase of the private stock in the Welland Canal, be read a second time to-morrow.

Committee to carry up address on Chelsea Pensioners, report answer.

Mr. Boulton, from the committee to wait upon His Excellency the Governor General, with the address for information respecting the joint address to Her Majesty on the subject of commuted Chelsea Pensioners, reported delivering the same, and that His Excellency had been pleased to make the following answer :

GENTLEMEN,

I have to inform you that the joint address of the Legislative Council and House of Assembly, on the subject of certain commuted pensioners has been laid at the foot of the Throne, and that Her Majesty was pleased to receive it very graciously, and to express her satisfaction that by an arrangement already effected, the benevolent intentions of the Council and Assembly towards the persons in question had been anticipated. Answer.

By that arrangement, relief is authorized to be afforded, under the direction of the emigration agent, to such of the Commuted Pensioners as are found to be in a state of destitution, and unable to obtain employment, or earn a sufficient maintenance, by the distribution, in kind, of food and indispensable clothing, with shelter when necessary for such as are houseless: it being distinctly understood that the relief is entirely eleemosynary, and liable to be withdrawn in the event of any misconduct, or when employment can be found for the applicant

In accordance with this arrangement with only such precautions as are necessary to ascertain the identity of the applicants, and to guard against imposition, relief has been, since July last, and still continues to be afforded to commuted pensioners and their families.

Toronto,
17th January, 1840.

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

Ordered—That the answer of His Excellency the Governor General to the address of this House on the subject of certain commuted pensioners, be referred to a select committee, to consist of Messrs. Sherwood, Ruttan and McDonell, of *Northumberland*, to report thereon. Answer referred to select committee.

Pursuant to the order of the day, the bill to amend the usury laws was read the second time. Usury bill read second time and committed.

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

Mr. Wickens in the chair.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

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

On the question for receiving the report,

In amendment—Mr. Bockus, seconded by Mr. McMicking, moves that the report be not now received, but that it be received this day six months. On receiving report, Amendment moved—to receive report this day six months.

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

Y E A S .

Messrs. *Aikman, Attorney General, Bockus, Burwell, Cook, Elliott, Hunter, McDonell of Northumberland, McDonell of Stormont, McIntosh, McMicking, Moore, Morris, Parke, Richardson, Shaver, Small, Solicitor General, Thorburn*—19. Yeas—19.

N A Y S .

Messrs. *Cartwright, Chisholm of Halton, Deltor, Ferrie, Gamble, Gowan, Murney, Powell, Prince, Rykert, Salmon, Shade, Sherwood, Thomson, Woodruff*—15. Nays—15.

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

Pursuant to notice, Mr. Gowan, seconded by Mr. Prince, moves that the House do now resolve itself into a committee of the whole for the purpose of granting to Her Majesty a sum of money, to enable Her Majesty to increase the salary of the Speaker of this House. Amendment carried—majority 4. Com. of supply on Speaker's salary.

Which was carried, and the House was put into a committee of supply on the same.

Mr. Detlor in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution which he was directed to submit it for the adoption of the House.

The report was received.

Resolution.

The Resolution was put as follows :

Resolved—That there be granted to Her Majesty the sum of six hundred pounds, to enable Her Majesty to grant a like sum to the Speaker of this House, in addition to his present income.

Division on resolution.

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—31.

Messrs. *Aikman, Attorney General, Boulton, Burritt, Burwell, Cartwright, Chisholm of Halton, Elliott, Gamble, Gowan, Kearnes, Malloch, Manahan, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Merritt, Moore, Murney, Parke, Powell, Prince, Richardson, Robinson, Salmon, Shade, Sherwood, Small, Solicitor General, Wickens*—31.

N A Y S .

Nays—10.

Messrs. *Cook, Detlor, Ferrie, McIntosh, McMicking, Morris, Rykert, Shaver, Thomson, Thorburn*—10.

Carried—majority 21.

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

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

Com. to draft bill thereon

Ordered—That the resolution of this House for increasing the Speaker's salary be referred to a select committee, consisting of Messrs. Solicitor General and Small, with power to report by bill.

Speaker reports messages from Gov. General.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents.

The messages were read by the Speaker as follows :

C. POULETT THOMSON.

Message, with reports of Commissioners on public departments.

The Governor General transmits for the information of the House of Assembly, in compliance with his answer of the 18th instant, such of the reports of the commissioners appointed to inquire into the public departments as it has been possible, up to the present time, to transcribe.

THE OFFICE OF SHERIFF, PUBLIC GAOLS, AND CLERK OF THE CROWN AND PLEAS.

RECEIVER GENERAL'S OFFICE.

OFFICE OF THE SURVEYOR GENERAL OF LANDS.

OFFICE OF THE SURVEYOR GENERAL OF WOODS AND FORESTS.

OFFICE OF THE AGENT FOR THE SALE OF CLERGY RESERVES.

OFFICE OF THE SECRETARY OF THE CLERGY CORPORATION.

OFFICE OF THE CHIEF AGENT FOR EMIGRATION.

Toronto,

Twentieth day of January, 1840.

C. POULETT THOMSON.

Message announcing Royal Assent to public works completion bill.

The Governor General has to inform the House of Assembly that the bill passed by them during their last session, entitled, "An Act to afford further facilities to negotiate debentures for the completion of certain works," and reserved for the signification of Her Majesty's pleasure, has been specially confirmed by Her Majesty in Council.

Toronto,

Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General has to inform the House of Assembly, that the act passed by them during their last session, entitled, "An Act to regulate the value at which Gold and Silver coins shall pass current within the Province," has been referred by Her Majesty's commands, for the consideration of the Lords Commissioners of the Treasury. After a careful consideration their Lordships have reported that it would not be proper to advise Her Majesty to confirm either this act, or the ordinance lately passed in the Lower Province for the same purpose, and the Governor General transmits herewith, for the information of the House of Assembly, an extract of a minute made by their Lordships on the 22nd November last, explaining fully the grounds on which their opinion is founded.

Message respecting
currency act.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General transmits herewith, for the information of the House of Assembly, the copy of a letter addressed to his Secretary by the Deputy Post Master General of British North America, enclosing a general statement of the revenue of the Post Office in the Canadas for the year ending 5th July, 1839.

Message, with state-
ment of Post Office
revenue.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General transmits to the House of Assembly, in compliance with the address of the House, dated the 24th of December last, the statements furnished by the Treasurers of the undermentioned districts, of monies received and disbursed by them for the repair of roads and bridges under acts of the present Parliament, and the wild land assessment law, viz :—

Message, with returns
of expenditure of road
moneys.

EASTERN.
JOHNSTOWN.
MIDLAND.
PRINCE EDWARD.
NEWCASTLE.
GORE.
NIAGARA.
TALBOT.
LONDON.

accompanied with a statement by the Inspector General, of the sums issued to the several Treasurers on account of the Parliamentary appropriation for Roads and Bridges in the year 1837.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General transmits for the information of the House of Assembly the annual accounts of the Treasurers of the undermentioned Districts for the past year.

Message, with certain
District Treasurers'
accounts.

NEWCASTLE.
JOHNSTOWN.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General transmits for the information of the House of Assembly a supplementary return of the population of the District of Newcastle, received since his late communication to the House with population returns.

Message, with supple-
mentary population
return from Newcastle
District.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON.

The Governor General transmits for the information of the House of Assembly the return received from the St. Lawrence Inland Marine Assurance Company, for the year 1839.

Message, with return
from St. Lawrence
I. M. Assurance Co.

Toronto,
Twentieth day of January, 1840.

C. POULETT THOMSON:

Message, with report
on steam dredge.

The Governor General transmits, for the information of the House of Assembly, the report and accompanying documents received from the commissioner of the Dredging Machine, for the year 1839.

Toronto,
20th January, 1840.

C. POULETT THOMSON:

Message, with certain
education reports.

The Governor General transmits, for the information of the House of Assembly, the reports received from the Boards of Education of the Western and London Districts, for the year 1839.

Toronto,
20th January, 1840.

C. POULETT THOMSON:

Message, with report of
Trustees East York road

The Governor General transmits, for the information of the House of Assembly, the report made to him by the trustees of the East York Macadamized Road, for the year 1839.

Toronto,
20th February, 1840.

C. POULETT THOMSON:

Message, with accounts
from Township-
Wardens, of road
moneys expended.

The Governor General transmits to the House of Assembly, with reference to the address of the House, dated the 4th of May last, such accounts and statements of commissioners and township wardens, of monies received and disbursed by them for roads, as have been received since his late communication to the House of Assembly on this subject.

Toronto,
20th January, 1840.

*For Reports of Commissioners on the Public Departments,
Statement of Post Office Revenue,
Statements by the respective Treasurers of the sums expended on Roads and
Bridges,
Treasurers' Accounts of districts of Newcastle and Johnstown,
Supplementary Return of population of district of Newcastle,
Report of Commissioner of Provincial Steam Dredge,
Reports of Boards of Education, Western and London Districts,
Report of Trustees, East York Macadamized Road, and
Accounts of expenditure of road moneys by Township Wardens,—See
Appendix.*

For Return of St. Lawrence I. M. Assurance Co.—See page 181.

Speaker reports messa-
ges from Leg. Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two messages, which are as follows :

Mr. SPEAKER:

Messages.

Clergy Reserves bill
passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to provide for the sale of the Clergy Reserves, and for the distribution of the proceeds thereof," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twentieth day of January, 1840. }

MR. SPEAKER :

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to extend the limits of Port Darlington Harbor;" and also the bill entitled, "An Act to repeal an Act passed in the forty-fourth year of the reign of His late Majesty King George the Third, entitled, 'An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid, or assist, or attempt to aid or assist any soldier to desert His Majesty's service, or who shall harbor, conceal, receive, or assist any deserter from such service,' and to make further provision for the punishment of such offenders," without any amendment.

Darlington Harbor extension bill, and bill to amend law on enticing soldiers to desert, passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Seventeenth day of January, 1840. }

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

Ordered--That an humble Address be presented to His Excellency the Governor General, thanking him for his several messages of this date; and that Messieurs Thorburn and McKay be a committee to draft and report the same.

Address of thanks ordered.

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

Ordered--That the second reading of the Address to Her Majesty on the subject of imposing a duty on bread stuffs when admitted into this Province, and other purposes, be the first item on the order of the day for Wednesday next, after receiving reports.

2d reading of address to H. M. on Canada Trade Act, to be first item on Wednesday.

On motion of Mr. Small, seconded by Mr. Gamble,

Ordered--That the message of His Excellency the Governor General upon the subject of the Report of the Commissioners appointed to investigate the public departments, with the accompanying documents, be referred to the committee to whom was referred that part of His Excellency's Speech from the Throne at the opening of the present session upon public departments.

Message of Governor General, with reports on public departments, referred to committee on public departments.

Mr. Gamble, seconded by Mr. Bockus, moves that two hundred copies of the Report of the Commissioners appointed by His Excellency the Lieutenant Governor, to investigate the condition of the Public Departments, be printed for the use of members, in pamphlet form, with marginal notes.

Motion for 200 copies of reports to be printed.

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

Division.

Y E A S .

Messrs. Bockus, Boulton, Cartwright, Chisholm of Halton, Cook, Dettlor, Elliott, Ferrie, Gamble, McKay, McLean, McMicking, Moore, Parke, Richardson, Robinson, Salmon, Shaver, Solicitor General,—19.

Yeas—19.

N A Y S .

Messrs. Gowan, McIntosh, Powell, Small, Thorburn,—5.

Nays—5.

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

Carried—majority 14.

Adjourned.

TUESDAY, 21st January, 1840.

The House met.

The minutes of yesterday were read.

Petitions brought up:

F. Hall.

Bishop of Toronto, and
28 others.

J. Read and 584 others

Oakville Hydraulic Co.
bill read third time and
passed.

Title.

Bill sent to Leg. Council

Address for return of
school lands granted,
read 3d time and passed

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

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

By Mr. Solicitor General, the petition of the Right Reverend the Bishop of Toronto, and twenty-eight others, managing committee of the House of Industry, in the city of Toronto.

And by Mr. Prince, the petition of James Read, and five hundred and eighty-four others, of the county of Kent.

Pursuant to the order of the day, the Oakville Hydraulic Company bill was read the third time and passed.

Mr. McKay, seconded by Mr. Sherwood, moves that the bill be entitled "An Act to incorporate certain persons under the style and title of the Oakville Hydraulic Company."

Which was carried, and Messrs. McKay and Sherwood were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council and to request their concurrence thereto.

Pursuant to the order of the day, the address to His Excellency the Governor General for a return of Lands granted for the support of Common Schools, was read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will cause to be laid before this House an account of all lands that have been granted for the support of schools in this Province, together with a full account of the manner in which such lands have been disposed of, and what (if any) funds are now available for the support of common schools within this province; and also what exchanges have been made of school lands, and for whose benefit.

ALLAN N. MACNAB,
SPEAKERCommons House of Assembly
Twenty-first day of January, 1840. }

Messrs. Thomson and Small, were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the address to His Excellency the Governor General respecting the confiscation of the property of traitors, was read the third time.

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

Y E A S .

Messrs. Aikman, Boulton, Burwell, Caldwell, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Malloch, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, Murney, Powell, Prince, Richardson, Robinson, Rykert, Shade, Sherwood, Solicitor General, Thomson, Wickens, Woodruff—28.

Yeas—28.

Address on confiscation
read 3d time.

Division on passing.

N A Y S.

Messrs. *Armstrong, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Deltor, Manahan, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Moore, Parke, Shaver, Small, Thorburn*—15. Nays—15.

The question was carried in the affirmative by a majority of thirteen, and the address was passed. and is as follows:— Passed—majority 13.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request your Excellency to inform this House whether any, and what steps have been taken in regard to the confiscation of the property belonging to persons convicted of treason in this Province since December 1837; and what property is liable to be so confiscated; and also pray your Excellency that if no confiscations have been made, immediate steps may be taken to accomplish that object. Address.

ALLAN N MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-first day of January, 1840. }

Messrs. Thomson and Boulton were ordered by the Speaker to wait upon His Excellency with the address, and present the same.

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

Petitions read:

Of J. Adam, chairman of the annual township meeting of the township of Oro, in the Home District, praying that absentee landowners may be compelled to pay local taxes equivalent to those paid by resident proprietors.

J. Adam.

Of John P. Rubidge, and forty-nine others, of the town of Peterborough and its vicinity, praying for an increase of the stock of the Commercial Bank of the Midland District.

J. P. Rubidge and 49 others.

Of William Bettridge, and three hundred and seventy others, shareholders of the Great Western Rail Road Company, of the towns and villages of Hamilton, Dundas, Ancaster, Brantford, Paris, Woodstock, Beachville, Ingersoll, London, St. Thomas, Delaware, Chatham, Sandwich and Sarnia, stating that the money necessary for constructing the Great Western Rail Road can now be obtained in England, and praying that an act may be passed to render the province liable for the payment of the principal and interest of the loan.

W. Bettridge and 370 others.

Of William M. Steers, Clerk in the office of the Adjutant General of Militia, praying for an increase of salary.

W. M. Steers.

Of William Kingsmill, Esq., Collector of Customs at Port Hope, stating that being absent himself on military duty, his deputy neglected to make the returns for the quarters ending June and September last, within the period prescribed by law, in consequence of which he was denied the usual fees, and praying that they may be allowed him.

W. Kingsmill.

Of William Fitch, and one hundred and nineteen others, of the District of Niagara, praying for a division of said district.

W. Fitch and 119 others

Of William Fitch, and one hundred and fifty-six others, of the District of Niagara, praying for the improvement of the great Canboro' road.

W. Fitch and 156 others

Of William Fraser, of the township of Cornwall, in the Eastern District, praying that his name may be inserted on the pension list.

W. Fraser.

C. W. Paul and 93 others.

Of Charles W. Paul, and ninety three others, praying for the incorporation of a company, with a capital of £10,000, for the promotion of education, on the principles recommended in the petition of Israel Lewis of Wilberforce.

W. Dixon and 6 others.

And of William Dixon, and six others, of the township of Scarborough, (York) stating that the commissioners for macadamising the Kingston road found it necessary to alter the line of road, by carrying it across their lots of land, and praying that the old road may be made over to them, in return for the land taken from them for the same.

Bishop of Toronto and 28 others.

Mr. Solicitor General, seconded by Mr. Shaver, moves that the petition of the Right Reverend the Bishop of Toronto, and others, be now read, and that the forty-first rule of this House be dispensed with as far as regards the same.

Which was carried, and the petition of the Right Reverend Bishop of Toronto, and twenty-eight others, managing committee of the House of Industry, in the City of Toronto, praying for pecuniary aid to that institution, was read.

Petitions referred :

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

Of Bishop of Toronto and others, to sel. com.

Ordered—That the petition of the Right Reverend the Bishop of Toronto, and others, be referred to a select committee, to consist of Messrs. Sherwood and Boulton, with power to report thereon.

On motion of Mr. Parke, seconded by Mr. Cook,

Of C. W. Paul and others, to com. on petition of I. Lewis.

Ordered—That the petition of Charles W. Paul, and ninety-three others, be referred to the committee to whom was referred the petition of Israel Lewis.

On motion of Mr. Woodruff, seconded by Mr. McMicking,

Of W. Bridgman and others, to com. on petition of Magistrates of Niagara.

Ordered—That the petition of William Bridgman, and others, be referred to the select committee to whom was referred the petition of the magistrates of the District of Niagara.

On motion of Mr. Small, seconded by Mr. McDonell of Stormont,

Of T. Elliot to select committee.

Ordered—That the petition of Thomas Elliot be referred to a select committee, to be composed of Messrs. McIntosh and Moore, with instructions to report thereon.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Of W. M. Steers, to supply, to-morrow

Ordered—That the petition of W. M. Steers be referred to a committee of the whole House on supply, on to-morrow.

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

Of W. Fitch and 119 others, and of W. Fitch and 156 others, to select committee.

Ordered—That the two petitions of W. Fitch, and others, be referred to a committee, consisting of Messrs. Thorburn and Woodruff, to report thereon.

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

Report of commissioners on Steam Dredge referred to sel. com.

Ordered—That the report and vouchers accompanying His Excellency the Governor General's message of yesterday, relating to the Provincial Steam Dredge, be referred to a select committee, to consist of Messrs. Thomson, Rykert, Chisholm of Halton, and Parke, to report thereon.

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

Report of sel. com. on message on Welland Canal stock purchase bill, referred to com. of whole.

Ordered—That the report of the select committee on that part of His Excellency the Governor General's message relating to the bill authorising the purchase of the private stock of the Welland Canal Company, be referred to a committee of the whole House on to-morrow.

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

Sel. com. appointed on Brock's Monument.

Ordered—That a select committee be appointed to enquire into the present state of the monument erected to the memory of the late Major General Sir Isaac Brock, and how far it is necessary to provide means for the completion of the same, with power to send for persons and papers, and to report thereon by bill or otherwise ; and that Messrs. McDonell of Glengarry, McDonell of Stormont, Richardson and McMicking, do compose said committee ; and that the thirty-first rule of this House be dispensed with so far as regards this motion.

Mr. Rykert gives notice that he will, on to-morrow, move that this House do resolve itself into a committee of the whole on supply, for the purpose of providing for the payment of pensions to certain militia-men disabled by wounds and injuries received while on service during the late war with the United States of America; and also to widows whose husbands were killed while on service during the late war with the United States of America, under certain restrictions.

Notice of com. of supply on pensions to militia men wounded in the last war

Mr. Solicitor General, from the committee to draft a bill pursuant to the resolution of this House granting a sum of money to increase the salary of the Speaker of the House of Assembly, reported a draft, which was received and read the first time.

Com. report bill to increase Speaker's salary. Bill read.

Ordered—That the bill to increase the salary of the Speaker of the House of Assembly be read a second time to-morrow.

2d reading to-morrow.

Mr. Gowan, from the select committee to which was referred the petition of Edward Ryall, presented a report, which was received and read.

Sel. com. on petition of E. Ryall, present report.

Report (See Appendix.)

Mr. Aikman, from the select committee to which was referred the address to His Excellency the Governor General, for the payment of the contractors on the Hamilton and Brantford road, presented a report, and the draft of an address to His Excellency the Governor General, which were received.

Sel. com. on address on paying Hamilton and Brantford road contractors, present report and address to His Exc'y on the subject.

The report was read.

Report—(See Appendix.)

The address was read the first time.

Ordered—That the address to His Excellency the Governor General in behalf of the contractors on the Hamilton and Brantford road, be read a second time to-morrow.

Address read.

2d reading to-morrow.

Pursuant to the order of the day, the Toronto incorporation amendment bill was read the second time.

Toronto incorporation amendment bill read 2d time and committed.

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

Mr. Cartwright in the chair.

The House resumed.

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

Bill reported.

The report was received.

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

3d reading to-morrow.

Pursuant to notice, Mr. Parke, seconded by Mr. Sherwood, moves that an humble address be presented to His Excellency the Governor General, requesting that His Excellency will be pleased to transmit to this House, a copy of the petition of certain inhabitants of the county of Middlesex, to His Excellency Sir George Arthur, in 1838, for removing the office of Register for that county, to the town of London; copy of a letter of His Excellency's private Secretary, to the Registrar, in reference to the said petition; and a copy of the Registrar's report thereon; and also a copy of the commission given to the Registrar of the county of Middlesex, in the year 1809; and that Messrs. Prince and Hunter be a committee to draft and report the same.

Address to Governor General for copy of pet. from Middlesex, &c. ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill to authorise the inhabitants of any township to raise a certain sum of money for the maintenance of disabled or infirm persons.

Bill for relief of the disabled and infirm brought in.

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

Bill read.

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

2d reading to-morrow.

- Niagara tax bill read 2d time and committed. Pursuant to the order of the day, the bill to levy an additional assessment on the District of Niagara was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Shaver in the chair.
The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Handley's estate bill read second time and committed. Pursuant to the order of the day, the bill to appoint trustees to manage the estate of William Handley was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Malloch in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Bill to regulate inspection of beef and pork brought in. Pursuant to notice, Mr. Powell, seconded by Mr. Hotham, moves for leave to bring in a bill to alter and amend an act passed in the forty-fifth year of the reign of King George the third, entitled "An act to regulate the curing, packing and inspection of beef and pork."
Which was granted, and the bill was read the first time.
- Bill read. *Ordered*—That the bill be read a second time to-morrow.
- 3d reading to-morrow. Mr. McLean, seconded by Mr. Morris, moves that the House do now resolve itself into a committee of the whole on the report of the select committee on the petition of the Reverend George Archbold and others.
Which was carried, and the House was put into a committee of the whole on the same.
Mr. Burwell in the chair.
The House resumed.
- Resolution reported. The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.
The report was received.
The resolution was put and carried, as follows:
- Resolution. *Resolved*—That there be annually granted to Her Majesty the sum of six hundred pounds, to enable Her Majesty to pay the like sum for the purpose of ameliorating the condition of the deaf and dumb of this Province, by establishing schools for their education, to be raised by assessment on the ratable property in the several Districts of this Province.
- Speaker reports messages from Leg. Council. Mr. Speaker reported that the Clerk to the Honourable the Legislative Council had brought down from that Honourable House, two messages, and the draft of an address to His Excellency the Governor General.
- Messages. The messages were read as follows:—

MR. SPEAKER:

Amendments to Queen's College bill passed.

The Legislative Council have acceded to the amendments made by the Commons House of Assembly in and to the bill sent down from this House, entitled "An Act to establish a College at Kingston, by the name and style of the University of Queen's College."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twentieth day of January, 1840. }

Mr. SPEAKER:

The Legislative Council have adopted the accompanying address to His Excellency the Governor General in relation to the bill providing for the sale of the Clergy Reserves, and they request the concurrence of the Commons House of Assembly, in and to the same.

Address to Governor General on Clergy Reserves bill sent down for concurrence.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-first day of January, 1840. }

The address to His Excellency the Governor General, sent down by the Honorable the Legislative Council, respecting the bill for the disposal of the Clergy Reserves, was read the first time.

Address to Governor General on Clergy Reserves bill read 1st time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Solicitor General, seconded by Mr. Shaver, moves that the address to His Excellency the Governor General on the subject of the Clergy Reserve bill, sent down from the Honorable the Legislative Council, be read a second time forthwith.

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

Address read 2d time and concurred in.

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

Mr. Burwell in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address, and submitted it for the adoption of the House.

Address reported amended.

The report was received.

The address was then read the third time.

Address read 3d time.

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

Division on passing.

Y E A S .

Messrs. *Armstrong, Burrill, Chisholm of Halton, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Dunlop, Hotham, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Morris, Powell, Prince, Richardson, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Wickens*—31.

Yeas—31.

N A Y S .

Messrs. *Aikman, Boulton, Burwell, Elliott, Gamble, Murney, Thomson*—7.

Nays—7.

The question was carried in the affirmative by a majority of twenty-four, and the address, was passed and is as follows:

Passed—majority 24

To His Excellency The Right Honorable CHARLES POULETT THOMSON, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly, of the Province of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that we have, during the present Session, passed a bill, entitled, "An Act to provide for the sale of the Clergy Reserves, and for the distribution of the proceeds thereof," which bill contains clauses altering the provisions of the Imperial Statute, passed in the

Address.

thirty-first year of the reign of His late Majesty King George the Third, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," respecting the allotment and appropriation of lands for the support of a Protestant Clergy, within this Province; and we further pray that, in order to give effect to the same, Your Excellency will cause the said bill to be transmitted to England without delay, for the purpose of being laid before Parliament, previous to the signification of Her Majesty's assent thereto.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Twenty-first day of January, 1840. }

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Twenty-first day of January, 1840. }

Messrs. Solicitor General and Shaver were ordered by the Speaker to carry the address back to the Honorable the Legislative Council, and to inform that Honorable House that this House had agreed to the same without amendment.

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

Resolution on instruction of deaf and dumb referred to sel. com.

Ordered—That the resolution of this House granting a sum of money to provide for the instruction of deaf and dumb persons, be referred to a select committee, to consist of Messrs. Solicitor General, Sherwood and Cartwright, to draft and report a bill pursuant thereto.

Motion for address to Governor General for return of fines.

Pursuant to notice, Mr. Small, seconded by Mr. Manahan, moves that it be *Resolved*, That an humble address be presented to His Excellency the Governor General, praying His Excellency to be pleased to direct the several Justices of the Peace within this province to make a return of all fines and forfeitures by them imposed, in the discharge of their magisterial duties, upon any person or persons; with the names of the person or persons fined, the nature of the charge preferred against them, the purposes to which such fines and forfeitures have been applied, and to whom they have been paid over; and that Messrs. Solicitor General and Morris be a committee to draft and report the same.

Division.

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

YEAS.

Yeas—39.

Messrs.—*Aikman, Armstrong, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Dettlor, Duncombe, Dunlop, Elliott, Gamble, Kearnes, Lewis, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McIntosh, McKay, McLean, McMicking, Morris, Murney, Parke, Powell, Prince, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—39.

NAYS.

Nays—2.

Messrs. *Hotham, Richardson*—2.

Carried—majority 37.

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

Journals read on Norfolk and Haldimand wild land tax.

Mr. Merritt seconded by Mr. Chisholm of *Halton*, moves that the Journals of last session be read, relating to a temporary land-tax in the counties of Haldimand and Norfolk, to keep in repair certain roads; and that the thirty-first rule of this House be dispensed with so far as relates to this motion.

Which was carried, and the Journals were read accordingly.

(Printed Journals, page 40kk.)

Mr. Merritt, seconded by Mr. Chisholm of *Halton*, moves that it be *Resolved*, That that part of the Journals of last session which relates to the raising a tax on certain lands in the counties of Haldimand and Norfolk, for the purpose of keeping the roads adjoining thereto in repair, for a limited period, be referred to a committee of supply forthwith. Referred to committee of supply, forthwith.

Which was carried, and the House was put into a committee of supply on the same.

Mr. Murney in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received.

The resolution was put and carried, as follows :

Resolved—That there be levied on the uncultivated lands on certain roads in the counties of Haldimand and Norfolk, a tax not exceeding ten shillings for every two hundred acres adjoining the same, for the purpose of keeping them in repair. Resolution.

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

Ordered—That the resolution of this House for laying a tax on certain uncultivated lands in the counties of Haldimand and Norfolk, be referred to a select committee, consisting of Messieurs Prince and Chisholm of *Halton*, to report thereon by bill or otherwise. Resolution referred to sel. com. to draft bill.

Pursuant to notice, Mr. Prince, seconded by Mr. Chisholm of *Halton*, moves that the House do now resolve itself into a committee of supply, to grant a sum of money to enable Her Majesty to pay and indemnify persons who have sustained losses during the late insurrection in and invasions of this province. Com. of supply on indemnifying sufferers by rebellion.

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

Mr. Morris in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received.

The resolution was put and carried, as follows :

Resolved—That there be granted to Her Majesty a sum not exceeding the sum of fifty thousand pounds, to enable Her Majesty to pay all just claims and demands, and to indemnify from loss all sufferers in consequence of the late rebellion, and the several hostile invasions of and lawless aggressions upon this province from the United States of America. Resolution.

On motion of Mr. Prince, seconded by Mr. Powell,

Ordered—That the resolution now adopted be referred to a select committee, consisting of Messrs. Solicitor General and Sherwood, to report a bill thereon. Resolution referred to select committee.

Pursuant to the order of the day, the bill to levy an additional assessment on the District of Dalhousie was read the second time. Dalhousie tax bill (2d) read 2d time and committed.

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

Mr. Attorney General in the chair.

The House resumed.

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

The report was received.

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

Pursuant to notice, Mr. Attorney General, seconded by Mr. Murney, moves that the House do now resolve itself into a committee of the whole on supply.

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

Mr. Murney in the chair.

The House resumed.

Two resolutions reported—sit again to-morrow

The chairman reported that the committee had agreed to two resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

The resolutions were severally put and carried, as follows:

First resolution.

Resolved—That it is expedient to revive and make perpetual the laws imposing duties on sales at auction.

Second resolution.

Resolved—That it is expedient to revive and make perpetual the laws imposing duties on stills used for the distilling of spirituous liquors within this Province.

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

Resolutions referred to select committee.

Ordered—That the resolutions reported by the committee of supply be referred to a select committee to be composed of Messrs. Sherwood and Bockus, to draft and report bills in pursuance of the same.

Com. of whole again on address on expenditure of £50,000 on roads and bridges.

Pursuant to the order of the day, the House was again put into a committee of the whole on the address to His Excellency the Governor General relative to the expenditure of the £50,000 granted for the improvement of roads and bridges.

Mr. Small in the chair.

The House resumed.

Address reported.

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

The report was received.

3d reading to-morrow.

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

Bill to amend militia act read 2d time and committed.

Pursuant to the order of the day, the bill to amend the Militia act was read the second time.

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

Mr. Thomson in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report

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

YEAS.

Yeas—27.

Messrs. *Attorney General, Boulton, Burritt, Burwell, Caldwell, Cartwright, Chisholm of Glengarry, Elliott, Ferris, Gamble, Gowan, Holham, Hunter, Kearnes, Malloch, Mathewson, McCargar, McDonell of Northumberland, McKay, McLean, Powell, Prince, Richardson, Salmon, Shade, Sherwood, Solicitor General*—27.

NAYS.

Nays—17.

Messrs. *Aikman, Bockus, Chisholm of Halton, Cook, Dettlor, McDonell, of Stormont, McIntosh, McMicking, Merritt, Morris, Murney, Parke, Rykert, Shaver, Small, Thorburn, Woodruff*—17.

Carried—majority 10.

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

Com. of whole on message on Colonel Fitz-Gibbon's land bill.

Mr. Burwell, seconded by Mr. Merritt, moves that the House do now resolve itself into a committee of supply on the message of His Excellency the Governor General respecting the bill to make a grant of land to James FitzGibbon Esquire.

Which was carried, and the House was put into a committee of supply on the same.

Mr. Murney in the chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Adjourned.

WEDNESDAY, 22nd January, 1840.

The House met.

The minutes of yesterday were read.

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

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| <p>By Mr. Malloch, the petition of Orrin Pierce, of Carlton Place, in the District of Bathurst.</p> | <p><i>Petitions brought up:</i>
O. Pierce.</p> |
| <p>By Mr. Prince, the petition of Charles Coxwell Small, Esq. Clerk of the Crown and Pleas.</p> | <p>C. C. Small.</p> |
| <p>By Mr. Thomson the petition of W. Thompson, J. P. and one hundred and thirty-eight others, of the township of Toronto, in the Home District.</p> | <p>W. Thompson and 138 others.</p> |
| <p>By Mr. Parke, the petition of Benjamin Woodhull, of the township of Lobo, in the District of London; the petition of J. B. Clench, J. P. and twenty-seven others, of the town of London; the petition of Philo Bennett, and twenty-three others of the same place; and the petition of Anselm Foster, and twenty-eight others, of the same place.</p> | <p>B. Woodhull and 3 others.
J. B. Clench and 27 others.
P. Bennett and 23 others
A. Foster and 28 others</p> |
| <p>By Mr. Sherwood, the petition of Alpheus Todd, of the City of Toronto.</p> | <p>Alpheus Todd.</p> |
| <p>And by Mr. Small, the petition of James W. Sherrard and Thomas Henry, ministers of the religious society called "Christians."</p> | <p>J. W. Sherrard and T. Henry.</p> |
| <p>Pursuant to the order of the day, the bill to levy an additional assessment on the District of Niagara was read a third time and passed.</p> | <p>Niagara tax bill read 3d time and passed.</p> |
| <p>Mr. Richardson, seconded by Mr. Thorburn, moves that the bill be entitled "An Act authorising the raising of a sum of money in the District of Niagara, for the purpose of relieving the said District from debt."</p> | <p>Title.</p> |
| <p>Which was carried, and Messrs. Richardson and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p> | <p>Bill sent to Leg. Council</p> |
| <p>Pursuant to the order of the day, the bill to levy an additional assessment on the intended new District of Dalhousie was read the third time and passed.</p> | <p>Dalhousie tax bill (2d) read 3d time and passed</p> |
| <p>Mr. McKay, seconded by Mr. Merritt, moves that the bill be entitled "An Act to authorise the levying of an additional tax on the District of Dalhousie, for the purpose of building a gaol and court house therein."</p> | <p>Title.</p> |
| <p>Which was carried, and Messrs. McKay and Merritt were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p> | <p>Bill sent to Leg. Council</p> |
| <p>Pursuant to the order of the day, the address to His Excellency the Governor General, respecting the expenditure of the £50,000 granted for the improvement of roads and bridges, was read the third time and passed, and is as follows:</p> | <p>Address on expenditure of £50,000 on roads and bridges, read third time and passed.</p> |

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg permission to call your Excellency's attention to an act passed in the last Session of the present Parliament, providing for the continuance of the provisions of an act granting the sum of £50,000 for the improvement of the roads and bridges in the several districts of this Province, and in connection with which we beg leave to state that one half of the aforesaid sum of £50,000 has been paid, according to the provisions of the said act; but in anticipation of the residue being forthcoming, many of the commissioners appointed to expend the same entered into contracts for the expenditure of the whole amount, and consequently have (in many instances) incurred serious losses:—We would therefore respectfully suggest to your Excellency the propriety of instructing the Receiver General of this Province to pay the remaining £25,000, according to the provisions of the aforesaid statute.

ALLAN N MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-second day of January, 1840. }

Messrs. Thompson and Deltor were ordered by the Speaker to wait upon His Excellency with the address, and present the same.

Toronto Incorporation amendment bill read third time.

Pursuant to the order of the day, the Toronto incorporation amendment bill was read the third time.

On question for passing

On the question for passing the bill,

Amendment moved.

In amendment—Mr. Small, seconded by Mr. McIntosh, moves that the bill do not now pass, but that it be amended by striking out the words "and made perpetual," and inserting "for four years, and from thence to the end of the then next ensuing session of Parliament, and no longer."

Division on amendment

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

YEAS.

Yeas—25.

Messrs. *Aikman, Burrill, Chisholm* of Glengarry, *Cook, Deltor, Duncombe, Gamble, Hunter, Manahan, Mathewson, McCargar, McDonell* of Glengarry, *McDonell* of Stormont, *McIntosh, McMicking, Moore, Morris, Murney, Parke, Ruttan, Shaver, Small, Thomson, Wickens, Wodruff*—25.

NAYS.

Nays—14.

Messrs. *Burwell, Caldwell, Chisholm* of Halton, *Elliott, Gowan, Kearnes, Malloch, McDonell* of Northumberland, *Powell, Prince, Richardson, Shade, Sherwood, Solicitor General*—14.

Amendment carried—majority 11.

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

Petitions read:

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

D. Armstrong and F. Henderson.

Of David Armstrong and Francis Henderson, Captains in the 2nd Regiment of Durham Militia, praying remuneration for expenses incurred by them in procuring accoutrements for their companies.

W. Nelles and 86 others.

Of Warner Nelles, J. P., and eighty-six others, of the township of Caledonia, in the county of Haldimand, praying that the rail road from Hamilton to Port Dover may be allowed to pass through said township.

C. Widmer and 2 others

Of Christopher Widmer, Esq. and two others, stating that they were appointed surgeons to examine and report upon the cases of militia-men claiming pensions for wounds, and praying remuneration for the same.

And of Æneas Bell, praying remuneration for furnishing certain officers and men of the militia with board during the rebellion. Æneas Bell.

On motion of Mr. Manahan, seconded by Mr. Mathewson,

Petitions referred :

Ordered—That the petition of Æneas Bell be referred to a select committee, and that Messrs. Mathewson and Kearnes do compose the same, with leave to report thereon. Of Æneas Bell, to select committee.

On motion of Mr. Aikman, seconded by Mr. McDonell of Stormont,

Ordered—That the petition of John Smith be referred to a select committee, consisting of Messrs. Ferrie and Chisholm of Halton, with power to send for persons and papers, and to report thereon. Of J. Smith, to sel. com.

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

Ordered—That the petition of Christopher Widmer, Esq., and two others, be referred to a select committee, consisting of Messrs. Richardson and Manahan, with power to report thereon by bill or otherwise. Of C. Widmer and 2 others, to sel. com.

Mr. Small gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement in detail of the amount of paper money issued by the Corporation of the City of Toronto since its incorporation, the amount now in circulation, and whether at interest or otherwise, when the same is redeemable, the amount of debt now due by the Corporation, and for what purposes contracted, and the means at their control for liquidating such debt, and redeeming their outstanding paper. Notice of address to Governor General on issue of notes by Toronto Corporation.

Mr. Chisholm, of Halton, from the committee to draft a bill pursuant to the resolution for taxing certain lands in the counties of Norfolk and Haldimand, reported a draft, which was received and read the first time. Com. report Norfolk and Haldimand wild land tax bill. Bill read.

Ordered—That the Norfolk and Haldimand wild land tax bill be read a second time to-morrow. 2d reading to-morrow.

Mr. Prince, from the committee to draft an address to His Excellency the Governor General, respecting a petition from certain inhabitants of Middlesex, reported a draft, which was received and read the first time. Address to Governor General on petition from Middlesex, reported. Address read.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Parke, seconded by Mr. Prince, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Which was carried, and the address was read the second time. Address read 2d time and committed.

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

Mr. Boulton in the chair.

The House resumed.

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

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Parke, seconded by Mr. Prince, moves that the address be not read a third time to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day. 3d reading to-day.

Mr. Sherwood, from the committee to draft a bill pursuant to the resolution of this House granting a sum of money to indemnify sufferers by the late rebellion, reported a draft, which was received and read the first time. Com. report bill to indemnify sufferers by the rebellion. Bill read.

Ordered—That the bill to indemnify from loss sufferers by the late rebellion, be read a second time to-morrow. 2d reading to-morrow.

Mr. Detlor, from the select committee to which was referred the message from His Excellency the Governor General, respecting the Rideau Canal, reported the draft of an address to His Excellency the Governor General. Sel. com. on message on Rideau Canal, report address to Gov. General on Rideau Canal.

- Address read. The report was received, and the address was read the first time.
- 2d reading to-morrow. *Ordered*—That the address to His Excellency the Governor General, respecting the Rideau Canal, be read a second time to-morrow.
On motion of Mr. Mathewson, seconded by Mr. Aikman,
- 200 copies to be printed. *Ordered*—That two hundred copies of the address reported by the select committee on His Excellency's message respecting the Rideau Canal tolls, be printed for the use of members.
- Address to Governor General for return of fines, reported.
Address read. Mr. Morris, from the committee to draft an address to His Excellency the Governor General, for a return of fines, reported a draft, which was received and read the first time.
On the question for the second reading of the address to-morrow,
- Address read 2d time and committed. *In amendment*—Mr. Small, seconded by Mr. Manahan, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.
Which was carried, and the address was read the second time.
The House was put into a committee of the whole on the same.
Mr. Murney in the chair.
The House resumed.
The chairman reported that the committee had agreed to the address without amendment and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the address be engrossed and read a third time to-morrow.
- Sel. com. on petition of D. McDonell and 104 others, report mill-dam damages assessment bill. Mr. Sherwood, from the select committee to which was referred the petition of Duncan McDonell, and one hundred and four others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.
- Bill read. The report was received, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill for assessment of damages from Mill-dams be read a second time to-morrow.
- Com. on roads and bridges, report road bill. Mr. Thomson, from the committee on roads and bridges presented, as a third report, the draft of a bill.
- Bill read. The report was received, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the road bill be read a second time to-morrow.
On motion of Mr. Gamble, seconded by Mr. Ruttan,
- Address to Governor General for appendices to reports of commissioners on public departments, ordered. *Ordered*—That an humble address be presented to His Excellency the Governor General, praying that he will be pleased to send down to this House the appendices to the several reports of the Commissioners appointed to investigate the state of the Public Departments, together with the report of the Office of the Commissioner of Crown Lands; and that the 31st rule of this House be dispensed with for that purpose; and that Messrs. Ruttan and Sherwood be a committee to draft and report the same.
- Address reported. Mr. Ruttan from the committee to draft an address to His Excellency the Governor General, pursuant to the foregoing resolution reported a draft which was received and read the first time.
On the question for the second reading of the address to-morrow.
In amendment—Mr. Gamble, seconded by Mr. Ruttan, moves that the address to His Excellency the Governor General relating to the Public Departments be not read a second time to-morrow, but that it be read a second time forthwith.
Which was carried, and the address was read the second time, and concurred in.
- Address read 2d time and concurred in. *Ordered*—That the address be engrossed and read a third time to-morrow.
- Sel. com. on petition of Bishop of Toronto and others, present report. Mr. Solicitor General, from the select committee to which was referred the petition of the Right Reverend the Bishop of Toronto, and others, managing committee of the House of Industry, presented a report, which was received and read.

Report—(See Appendix.)

Pursuant to the order of the day the address to Her Majesty on the Canada trade act was read the second time.

Address to Her Majesty on Canada Trade Act read second time and committed.

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

Mr. Shade in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had made some progress in the address and asked leave to sit again this day.

Progress reported—sit again to-day.

The report was received, and leave granted accordingly.

Mr. Speaker reported that the Clerk to the Honourable the Legislative Council had brought from that Honourable House, a message which is as follows:—

Speaker reports message from Leg. Council.

Mr. SPEAKER:

The Legislative Council have appointed the Honorable Messieurs Baldwin and Sullivan to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly, this day, at four of the clock, P. M., for the purpose of waiting upon His Excellency the Governor General, to know when His Excellency would be pleased to receive the bill, entitled, "An Act to provide for the sale of the Clergy Reserves, and for the distribution of the proceeds thereof," and also the joint address of the two Houses, requesting His Excellency to transmit the said bill to England, and to present the same.

Com. of Leg. Council to carry up address and Clergy Reserves bill.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twenty-second day of January, 1840. }

Mr. Solicitor General, seconded by Mr. Sherwood, moves that Messrs. Sherwood, Malloch, Armstrong and Ruttan, be a committee to meet the committee of the Honourable the Legislative Council to wait upon His Excellency the Governor General to know when His Excellency will be pleased to receive the bill entitled "An Act to provide for the sale of the Clergy Reserves, and for the distribution of the proceeds thereof;" and also the joint address of the two Houses requesting His Excellency to transmit the said bill to England, and to present the same.

Com. to meet com. to carry up address and Clergy Reserves bill.

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

Pursuant to the order of the day, the House was put into a committee of the whole on the address to Her Majesty on the Canada trade act.

Com. of whole again on address to H. M. on Canada Trade Act.

Mr. Shade in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

Address reported amended.

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Merritt, seconded by Mr. Thomson, moves that the address on the subject of the duty on wheat, be not read a third time to-morrow, but that it be referred to a select committee consisting of Messrs. Bockus, Rykert, Boulton, and Chisholm of *Halton*.

Address referred to select committee.

Which was carried and ordered.

Bill to increase
Speaker's salary read
2d time and committed.

Pursuant to the order of the day, the bill to increase the salary of the Speaker of the House of Assembly was read the second time.

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

Mr. Armstrong in the chair.

The House resumed.

Bill reported:

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

The report was received.

3d reading to-morrow.

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

Speaker reports mes-
sage from Leg. Council

Militia bill sent down
for concurrence.

Bill to amend Cornwall
and L'Original road act
sent down amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message, and a bill entitled "An Act to repeal part of, and amend, the Militia Laws of this Province," which that Honorable House had passed; and also the bill entitled "An Act to extend the time for completing the expenditure upon the post road between Cornwall and L'Original," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message.

The message was read by the Speaker, as follows :

MR. SPEAKER :

Hallowell division bill
passed Leg. Council

The Legislative Council have passed the bill sent up by the Commons House of Assembly, entitled, "An Act for dividing the township of Hallowell, in the district of Prince Edward," without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-second day of January, 1840. }

Militia bill read 1st time

The bill sent down by the Honorable the Legislative Council, entitled "An Act to repeal part of, and amend, the Militia Laws of this Province," was read the first time.

2d reading to-morrow.

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

Amendment to bill to
amend Cornwall and
L'Original road act read
twice and concurred in.

The amendment made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to extend the time for completing the expenditure upon the post road between Cornwall and L'Original," was read twice and concurred in, as follows :

Amendments.

Line 11,—After "That" expunge "in consequence of" and insert, "notwithstanding."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Ninth day of January, 1840. }

Messrs. Small and Gowan were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Adjourned.

THURSDAY, 23rd January, 1840.

The House met.

The minutes of yesterday were read.

Pursuant to the order of the day, the Toronto incorporation amendment bill, as amended, was read the third time.

Toronto Incorporation amendment bill read third time.

On the question for passing the bill.

In amendment—Mr. Small, seconded by Mr. McIntosh, moves that the bill do not now pass, but that it be recommitted for the purpose of amending the same.

Which was carried, and the House was put into a committee of the whole on the bill.

Bill recommitted.

Mr. Cartwright in the chair.

The House resumed.

The chairman reported that the committee had amended the bill, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

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

3d reading to-morrow.

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

By Mr. McKay, the petition of N. H. Baird, Civil Engineer.

Petitions brought up:

N. H. Baird.

By Mr. Shade, the petition of Thomas Millman, and one hundred and fifteen others, of the District of Gore; and the petition of Thomas Saunders, J. P., and twenty-eight others, of Guelph, in the District of Gore.

T. Millman and 115 others.
T. Saunders and 28 others.

And by Mr. Boulton, the petition of the President and Directors of the Port Hope Harbor Company.

President, &c. of Port Hope Harbor Company

Pursuant to the order of the day, the address to His Excellency the Governor General, respecting a certain petition from the inhabitants of Middlesex, was read the third time and passed, and is as follows :

Address for copy of Middlesex petition, &c. read 3d time and passed

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be transmitted to this House, a copy of the petition of certain inhabitants of the county of Middlesex, to His Excellency Sir George Arthur, in 1838, for removing the office of Register for that county to the town of London; copy of the letter of His Excellency's Private Secretary to the Registrar, in reference to the said petition; and copy of the Registrar's report thereon; and also, copy of the commission given to the Registrar of the county of Middlesex, in the year 1809.

Address.

ALLAN N. MACNAB,

SPEAKER

Commons House of Assembly
Twenty-third day of January, 1840. }

Messrs. Parke and Moore were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Address for return of
fines read third time
and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General for a return of fines was read the third time and passed, and is as follows :—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, pray that Your Excellency will be pleased to direct the several Justices of the Peace, within this Province, to make a return of all fines and forfeitures by them imposed in the discharge of their Magisterial duties, within the last five years, upon any person or persons, setting forth the names of the parties fined, the nature of the charge preferred against the individuals fined, the purposes to which such fines and forfeitures were ordered to be applied, and to whom such fines and forfeitures have been paid over ; in order that such returns may be laid before the Provincial Legislature at its next Session.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Twenty-third day of January, 1840. }

Messrs. Small and Manahan, were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Address for appendices
to report on public
departments read third
time and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General, for the Appendices to the Reports of the Commissioners on Public Departments, was read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to send down to this House the Appendices to the several Reports of the Commissioners appointed to investigate the state of the Public Departments, together with the Report on the Office of the Commissioner of Crown Lands.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Twenty-third day of January, 1840. }

Messrs. Gamble and Solicitor General were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Speaker's salary bill
read 3d time and passed

Pursuant to the order of the day, the bill to increase the salary of the Speaker of the House of Assembly was read the third time and passed.

Title.

Mr. Gowan, seconded by Mr. Prince, moves that the bill be entitled "An Act to enable Her Majesty to remunerate the services of Sir Allan Napier Macnab, Knight, Speaker of the Commons House of Assembly."

Which was carried, and Messrs. Gowan and Prince were ordered by the Speaker to carry the bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

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

Petitions read :

Of Francis Hall, Civil Engineer, praying to be paid the sum of £56, due him by the Burlington Bay Commissioners, since 1826, with interest.

F. Hall.

And the petition of James Read, and five hundred and eighty-four others, of the county of Kent, praying that articles essential for the promotion of agriculture may be admitted into the province, free of duty, and that a higher duty may be levied on foreign produce.

J. Read and 584 others

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

Petitions referred:

Ordered—That the petition of James Adam, chairman at a public meeting held in the township of Oro, on the 6th instant, be referred to the select committee upon the resolution relative to taxing non-resident landowners for the benefit of roads and bridges.

Petition of J. Adam referred to com. on resolution on taxing wild lands.

On motion of Mr. Aikman, seconded by Mr. Mathewson,

Ordered—That the select committee to which was referred the petition of the Trustees of the Ancaster Literary Institution be discharged, and that the said petition be referred to the committee of supply.

Petition of Ancaster Literary Institution transferred from sel. com. to com. of supply.

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

Ordered—That the report of the select committee on the petition of the Right Reverend the Bishop of Toronto, in favor of the House of Industry, be referred to the committee of the whole on supply.

Report of petition of Bishop of Toronto referred to com. of supply

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

Ordered—That the message of His Excellency the Governor General, of the 20th instant, relating to the annual Post Office returns from the Deputy Postmaster General of British North America, be referred to the committee of finance, with power to report thereon.

Message, with Post Office returns referred to com. of finance.

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

Ordered—That the message of His Excellency the Governor General, of the 3rd instant, relating to claims for the loss and destruction of property by incendiaries and otherwise, be referred to a select committee, to be composed of Messrs. Morris, Prince, Thomson and Small, with power to send for persons and papers, and to report thereon; and that the petitions of Malcolm Laing, Esq., and John Mewburn, Esq., be referred to the same committee.

Message on claims referred to select com.

Petitions of M. Laing and J. Mewburn referred to same committee.

On motion of Mr. Murney, seconded by Mr. Manahan,

Ordered—That Messrs. Morris and Malloch be a committee to search the Journals of the Honorable the Legislative Council, and report the proceedings had by that Honorable House upon the bill entitled "An Act to authorise the levying an additional tax, for the purpose of building a Gaol and Court House at Bytown, in the District of Dalhousie."

Com. to search Journals of Leg. Council on Dalhousie tax bill.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise Her Majesty to take possession of lands for the erection of fortifications within this province.

Notices :

Of bill to grant lands for fortifications.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the Board of Ordnance to hold real estate within this province.

Of Ordnance Estates bill.

Mr. Thorburn, from the select committee appointed to take into consideration the present state of the monument erected to the memory of the late Major General Sir Isaac Brock, K. B., presented a report, which was received and read.

Sel. com. on Brock's Monument present report.

Report—(See Appendix.)

On motion of Mr. Thorburn, seconded by Mr. McDonell of Glengarry,

Report referred to com.
of supply.

Ordered—That the report of the select committee on the subject of the monument erected to the memory of the late Major General Sir Isaac Brock, be referred to a committee of supply.

Com. to carry up
address and Clergy
Reserves bill report
answer.

Mr. Sherwood, from the committee to meet the committee of the Honorable the Legislative Council, to wait upon His Excellency the Governor General, with the joint address respecting the bill for the disposal of the Clergy Reserves, reported the delivery of the same, and that His Excellency had been pleased to make thereto the following answer :

HONORABLE GENTLEMEN, AND GENTLEMEN,

Answer.

I will transmit the bill for the sale of the Clergy Reserves, and for the distribution of the proceeds thereof, together with your Joint Address, as required by law, without any delay, to Her Majesty's Principal Secretary of State.

Accept my warmest acknowledgments, for the ready attention you have given to this important subject, to which it was my duty to invite your consideration.

I congratulate you most sincerely, upon having thus terminated, so far as depends on your exertions, the agitation of a question, which has now, for nearly twenty years, been the fruitful source of disagreement in the Legislature, and of strife and contention among the people of this Province.

May the Great Author of all peace prosper your work ; and in the restoration of tranquillity to the country, and the extension of the blessings of religious instruction amongst the people, may you reap the reward of your labours.

Sel. com. on petition of
Lewis Donnelly, present
report.

Mr. Richardson, from the select committee to which was referred the petition of Lewis Donnelly, presented a report, which was received and read.

Report—(See Appendix.)

Report referred to com
of supply.

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

Ordered—That the report of the select committee on the petition of Lewis Donnelly, be referred to the committee of the whole on supply.

Sel. com. on petition of
W. Stennett and others
report Freeholders'
Bank bill.

Mr. Sherwood, from the select committee to which was referred the petition of William Stennett, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

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

2d reading to-morrow.

Ordered—That the the Freeholders' Bank bill be read a second time to-morrow.

Com. report still duty
continuation bill.
Bill read.

Mr. Sherwood, from the committee to draft a bill pursuant to the resolution of this House, for continuing the Act imposing an additional duty on stills, reported a draft, which was received and read the first time.

2d reading to-morrow.

Ordered—That the bill to amend the Act imposing an additional duty on stills be read a second time to-morrow.

Sel. com. on address to
H. M. on Canada
Trade Act, report
address on wheat.
Address read.

Mr. Merritt, from the select committee to which was referred the address to Her Majesty on the Canada Trade Act, reported the address, as amended.

The report was received, and the address was read the first time.

2d reading to-morrow.

Ordered—That the address to Her Majesty, respecting the duty on wheat, be read a second time to-morrow.

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

Sel. com. appointed on
expiring laws.

Ordered—That Messrs. Sherwood, Hotham and Gamble be a select committee to report on expiring laws, and that the thirty-first rule of this House be dispensed with so far as respects the same.

Pursuant to the order of the day, the House was put into a committee of supply on the message of His Excellency the Governor General, respecting the Chatham bridge. Com. of supply on message on Chatham bridge

Mr. Woodruff in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received.

The resolution was put and carried, as follows :

Resolved—That there be granted to Her Majesty the sum of three hundred and fifty-nine pounds, to enable Her Majesty to pay to the commissioners appointed by the Act 7th Will. 4, ch. 83, for building the bridge over the Thames at Chatham, the balance due from them to the contractor for completing said bridge. Resolution.

On motion of Mr. Prince, seconded by Mr. McCrae,

Ordered—That the above resolution be referred to a select committee, consisting of Messrs. Richardson and Caldwell, to report a bill thereon. Com. to draft bill on resolution.

Pursuant to the order of the day, the bill for the relief of J. W. Dempsey was read the second time. Dempsey's relief bill read second time and committed.

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

Mr. Duncombe in the chair.

The House resumed.

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

The report was received.

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

Mr. Powell, seconded by Mr. Gowan, moves,

That J. B. Lewis, Esquire, member for the county of Carleton, have leave of absence for the remainder of the session. Leave of absence granted to Mr. Lewis.

Which was granted.

Pursuant to the order of the day, the bill to admit J. Turner to practise as an attorney was read the second time. Bill to admit J. Turner to practise read second time and committed.

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

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had risen.

The report was received.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to regulate the expenditure of the district funds. District funds regulation bill again committed.

Mr. Morris in the chair.

The House resumed.

The chairman reported that the committee had risen.

The report was received. Committee rises.

Pursuant to notice, Mr. Gamble, seconded by Mr. Prince, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint a commission during the recess, for the purpose of revising the statutes of this province, and that this House will make good the sum requisite for defraying the expenses incurred in carrying the same into effect; and that Messrs. Boulton and Sherwood be a committee to draft and report the said address. Address to Governor General for commission to revise the statutes ordered.

- Handley's estate bill again committed. Which was carried and ordered.
- Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to appoint trustees to manage the estate of William Handley.
- Mr. Chisholm of *Glengarry* in the chair.
- The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Motion for House to meet at one o'clock and adjourn at 5 for an hour. Mr. Bockus, seconded by Mr. Solicitor General, moves that so much of the standing orders of this House as requires the chair to be taken each day at ten of the clock, A. M. be rescinded in so far as relates to this motion, and that for the remainder of the present session, after Monday next, the Speaker do take the chair at one of the clock, P. M. and leave the chair at five of the clock each day for one hour.
- Carried by casting vote of Speaker. On which the House divided, and the question was carried in the affirmative by the casting vote of the Speaker.
- Adjourned.

FRIDAY, 24th January, 1840:

- The House met.
- The minutes of yesterday were read.
- Petitions brought up:*
- C. Fothergill. The following petitions were severally brought up and laid on the table:
H. Fowler. By Mr. Prince, the petition of Charles Fothergill, Editor of the *Palladium*, newspaper, of the city of Toronto; and the petition of Harvey Fowler.
- Dempsey's relief bill read 3d time and passed. Pursuant to the order of the day, the bill for the relief of J. W. Dempsey was read the third time and passed.
- Title. Mr. Solicitor General, seconded by Mr. Small, moves that the bill be entitled, "An Act for the relief of John W. Dempsey."
- Bill sent to Leg. Council. Which was carried, and Messrs. Solicitor General and Small were ordered by the Speaker to carry bill the up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Handley's estate bill read 3d time and passed. Pursuant to the order of the day, the bill to appoint Trustees to manage the estate of William Handley, was read the third time and passed.
- Title. Mr. Boulton, seconded by Mr. Ruttan, moves that the bill be entitled, "An Act to provide for the management of the estate of William Handley, Esquire."
- Bill sent to Leg. Council. Which was carried, and Messieurs Boulton and Ruttan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Petitions read:*
- Orrin Pierce. Pursuant to the order of the day, the following petitions were read:
Of Orrin Pierce, of Carlton Place, in the district of Bathurst, praying to be naturalized.
- C. C. Small. Of Charles C. Small, Esquire, Clerk of the Crown and Pleas, praying remuneration for certain professional services.

Of W. Thompson, J. P., and one hundred and thirty-eight others, of the township of Toronto, in the Home District, praying that no additional assessment may be levied on the inhabitants of said district.

W. Thompson and 138 others.

Of Benjamin Woodhull, and three others, of the township of Lobo, in the district of London, praying that no person may be allowed to construct a dam across the river Thames, at any place, other than those already designated.

B. Woodhull and 3 others.

Of J. B. Clench, J. P., and twenty-seven others, of the town of London, praying for an extension of the gaol limits thereof.

J. B. Clench and 27 others.

Of Philo Bennett, and twenty-three others, of the same place, praying the same.

P. Bennett and 23 others.

Of Anselm Foster, and twenty-eight others, of the same place, praying the same.

A. Foster and 28 others.

Of Alpheus Todd, of the City of Toronto, praying the House to examine into the merits of a work compiled by him, on Parliamentary Law, with a view to its adoption and use of the Provincial Legislature.

Alpheus Todd.

And of James W. Sherrard and Thomas Henry, ministers of the religious society called "Christians," praying that the ministers of the same may be allowed to celebrate marriages and to hold lands, in like manner as other religious denominations.

Jas. W. Sherrard and T. Henry.

On motion of Mr. Small, seconded by Mr. McDonell of Stormont,

Ordered—That the petition of James W. Sherrard and Thomas Henry, be referred to a select committee, to be composed of Messrs. Thompson and Aikman, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petitions referred:
Of Sherrard and Henry, to select committee.

On motion of Mr. Small, seconded by Mr. McDonell of Stormont,

Ordered—That the petition of Charles C. Small be referred to a select committee to be composed of Messrs. Prince, Cartwright and Manahan, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of C. C. Small, to select committee.

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

Ordered—That the petition of William Thompson, and others, be referred to the committee to which was referred the petition of the magistrates of the Home District.

Of W. Thompson and others, to com. on petition of Magistrates of Home District.

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

Ordered—That the select committee on the petition of Benjamin Willson, and others, praying assistance to improve the Harbor at Port Stanley, be discharged, and that the said petition be referred to the committee on finance.

Petition of B. Willson and others discharged from sel. com. and referred to com. on finance.

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

Ordered—That the names of Messieurs Boulton and Elliott be added to the committee to whom was referred the answer of His Excellency the Governor General to the address of this House, on the subject of certain commuted pensioners.

Members added to com. on answer to address on Chelsea Pensioners.

Mr. Small gives notice that he will, on to-morrow, move for leave to bring in a bill to amend an Act passed in the seventh year of the reign of His late Majesty William the Fourth, entitled, "An Act to establish a Court of Chancery in this Province," by authorising the Vice Chancellor to admit an additional number of persons to be Solicitors of the said Court.

Notice of bill to amend Chancery Act.

Mr. Boulton, from the committee to draft an address to His Excellency the Governor General, praying for the appointment of a Commission to revise the Statutes, reported a draft, which was received and read the first time.

Address to Governor General for commission to revise the statutes reported.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Gamble, seconded by Mr. Ruttan, moves that the address to His Excellency the Governor General, be not read a second time on to-morrow, but that it be read a second time forthwith.

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

Address read 2d and 3d times and passed.

The address was then read the third time and passed, and is as follows :

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to appoint a Commission, during the recess, for the purpose of revising the Statutes of this Province, and this House will make good the sum requisite for defraying the expenses incurred in carrying the same into effect.

ALLAN N. MACNAB,

SPEAKER

Commons House of Assembly }
Twenty-fourth day of January, 1840. }

Messieurs Gamble and Rutan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Com. to search Journals of Leg. Council on Victoria assessment bill, present report.

Mr. Morris, from the committee to search the Journals of the Honorable the Legislative Council, on the subject matter of the bill, entitled, "An Act to alter and amend an Act, entitled, 'An Act to authorise the erection of the county of Hastings into a separate district,' and to continue the additional assessment for the district of Victoria," presented a report, which was received and read, as follows :

To the Honorable the Commons House of Assembly.

Report.

The Committee appointed to search the Journals of the Honorable the Legislative Council, and to report to your Honorable House what proceedings had been had by that Honorable body on the subject matter of the bill sent up from this House, entitled "An Act to alter and amend an Act entitled 'An Act to authorise the erection of the county of Hastings into a separate District, and to continue the additional assessment for the District of Victoria,'" beg leave to report as follows :

That on *Wednesday, January 3th*, "A deputation from the Commons House of Assembly brought up a bill to which they requested the concurrence of this House, and then withdrew.

"The Honorable the Speaker reported to this House, that a deputation from the Commons House of Assembly had brought up a bill entitled 'An Act to alter and amend an Act entitled 'An Act to authorise the erection of the County of Hastings into a separate District, and to continue the additional assessment for the District of Victoria,' to which they requested the concurrence of this House : the said bill was then read, and it was ordered that the same be read a second time to-morrow.

"Thursday, 9th January.

"Pursuant to the order of the day, the bill entitled 'An Act to alter an amend an Act entitled 'An Act to authorise the erection of the County of Hastings into a separate District, and to continue the additional assessment for the District of Victoria,' was read a second time, and it was ordered that the House be put into a committee of the whole on to-morrow to take the same into consideration.

"Friday, 10th January.

"Pursuant to the order of the day, the House was put into a committee of the whole upon the bill entitled 'An Act to alter and amend an Act entitled 'An Act to authorise the erection of the County of Hastings into a separate District, and to continue the additional assessment for the District of Victoria.' The Honorable Mr. McGillivray took the chair. After some time the House resumed. The chairman reported that the committee had taken the said bill into consideration and made some progress therein, and recommended that it be referred to a select committee to report thereon. Ordered that the report be received, and ordered that the said bill be referred to a select committee to report thereon, and ordered that the Honorable Messrs. Crooks and Fraser do compose the same for that purpose.

"Wednesday, 22nd January.

"The Honorable Mr. Crooks, from the select committee to whom was referred the bill entitled 'An Act to alter and amend an Act entitled 'An Act to authorise the erection of the County of Hastings into a separate District, and to continue the additional assessment for the District of Victoria,' presented their report. Ordered, that it be received, and the same was then read by the Clerk as follows :

"The select committee, to whom was referred the bill, entitled, "An Act to alter and amend an Act, entitled, 'An Act to authorise the erection of the county of Hastings into a separate district,' and to continue the additional assessment for the district of Victoria," beg leave to report: That the notice required by the rules of your Honorable House, in regard to bills of the nature of that submitted to them, appears to have been inserted in the *Upper Canada Gazette* only three months, but as it levies no new rate upon the inhabitants, your committee are of opinion that it comes within the meaning of the exception made by the amendment to the forty-seventh rule, which declares that it "does not apply to cases in which application is made for the loan of money, for the purpose of building a Gaol or Court House in any District, by consent of the Magistrates in Quarter Sessions assembled, provided no opposition appears to exist against the measure;" and no such opposition has been made to the present measure.

Report.

"Should your Honorable House concur in opinion, in regard to the notice, your committee would recommend the bill to your favorable consideration, with the amendments appended to this, their report.

"All which is respectfully submitted,

"JAMES CROOKS,

"CHAIRMAN.

"Committee Room, Legislative Council, }
"22d January, 1840. }

"IN THE TITLE:

"Line 1,—After the word 'to' expunge 'alter and amend,' and insert 'extend the period for which the Magistrates of the district of Victoria are authorised to levy an additional rate in the said district by'; between the words 'Act' and 'entitled,' insert 'passed in the seventh year of the reign of His late Majesty King William the Fourth.'

"Line 3,—After the word 'district' expunge the remainder of the title.

"IN THE BILL:

"Press 1, Line 1—After 'to' expunge, 'alter and amend,' and insert 'extend the period for which the Magistrates of the district of Victoria are authorised to levy an additional rate in the said district by'; after the word 'Act' insert 'passed in the seventh year of the reign of His late Majesty King William the Fourth.'

" " 3—After the words 'of the' insert the word 'said.'

" " 5—After 'therein' insert 'be continued.'

" " 12—After 'clauses' insert 'of the said Act.'

" " 14—After 'authorised' insert 'and empowered.'

" " 18—After 'debt' insert 'and interest.'

" " 24—After 'resolution' insert 'which shall be.'

"Press 2, Line 7—After 'heretofore' insert 'collected and paid.'

" " 11—After 'district' insert 'for no other purpose whatsoever.'

"On motion made and seconded, it was Ordered, that the last mentioned bill, and the report thereon, be referred to a committee of the whole House presently. The House was then put into a committee of the whole on the same accordingly. The Honorable Mr. Stewart took the chair.—After some time, the House resumed. The chairman reported that the committee had taken the said bill, and the report thereon, into consideration, and recommended the said report of the select committee to the adoption of the House. Ordered, that the report be received."

All of which we beg leave to submit to your Honorable House.

JAMES MORRIS,

CHAIRMAN.

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

Ordered—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to transmit to this House a copy of the commission of investigation, issued by His Excellency Sir George Arthur, during last year, and also a copy of the instructions of His Excellency for the guidance of the commissioners appointed by him; and that the thirty-first rule of this House be dispensed with so far as relates to the same.

Address to Governor General for copy of commission of investigation, &c. ordered.

	On motion of Mr. Burwell, seconded by Mr. Murney,
Com. to draft address.	<i>Ordered</i> —That Messrs. Thorburn and Parke be a committee to draft and report an address in pursuance of the foregoing resolution.
Address reported.	Mr. Thorburn, from the committee to draft an address pursuant to the foregoing resolution, reported a draft, which was received, and read the first time.
2d reading to-morrow.	<i>Ordered</i> —That the address be read a second time to-morrow.
Com. of supply on Victoria assessment. (2d.)	Mr. Murney, seconded by Mr. Manahan, moves that the House do now resolve itself into a committee of supply, for the purpose of levying an additional assessment on the inhabitants of the District of Victoria, for the purpose of building a gaol and court house therein.
	Which was carried, and the House was put into a committee of supply accordingly.
	Mr. Solicitor General in the chair.
	The House resumed.
Resolution reported.	The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.
	The report was received.
	The resolution was put and carried, as follows :
Resolution.	<i>Resolved</i> —That the additional assessment of one penny in the pound be continued in the District of Victoria, for the purpose of paying the debt and interest now contracted for building the gaol and court house in that district, until the said debt be fully discharged.
	On motion of Mr. Murney, seconded by Mr. Manahan,
Com. to draft bill thereon.	<i>Ordered</i> —That the resolution of supply to continue the additional assessment for the District of Victoria be referred to a select committee, composed of Messrs. Morris and Malloch, to report thereon by bill.
Bill reported (Victoria assessment, 2d.) Bill read.	Mr. Morris, from the committee to draft a bill pursuant to the foregoing resolution, reported a draft, which was received, and read the first time.
	On the question for the second reading of the bill to-morrow,
	<i>In amendment</i> —Mr. Murney, seconded by Mr. Manahan, moves that the bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be suspended in this respect.
Bill read second time and committed.	Which was carried, and the bill was read the second time.
	The House was put into a committee of the whole on the bill.
	Mr. Ferrie in the chair.
	The House resumed.
	The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
	The report was received.
3d reading to-morrow.	<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.
Sel. com. on certain medals appointed.	Mr. Thorburn, seconded by Mr. Chisholm <i>of Halton</i> , moves, that there is reason to believe that after the war with the United States of America, certain contributions of money were raised and collected from subjects of Her Majesty resident in Great Britain and the colonies, who formed themselves into a society under the name of the "Patriotic Society," from which contributions, so raised and collected, certain medals of gold and silver were procured ; that such medals, together with the residue of the amount so contributed, were sent to this country to be distributed among the brave and deserving militia-men, who had nobly defended it during said war :—that it is expedient that an inquiry into the circumstances thus stated should be instituted ; and that Messrs. McDonell <i>of Glengarry</i> , McDonell <i>of Stormont</i> , McMicking and Woodruff, be a committee for that purpose, who shall have power to send for persons and papers, and report to this House ; and that the thirty-first rule of this House be dispensed with as far as regards this motion.
	Which was carried and ordered.

Mr. Thorburn, from the select committee to which was referred the petition of William Fitch, and one hundred and fifty-six others, presented a report, which was received and read, as follows :

Sel. com. on petition of W. Fitch and 156 others present report.

To the Honorable the Commons House of Assembly :

The committee, to whom was referred the petition of William Fitch, and one hundred and fifty-six others, of the district of Niagara, praying that the road leading from the Falls of Niagara to Amherstburgh may be completed, by a grant of twelve thousand five hundred pounds, beg leave to report:

Report.

That they have duly considered the petition referred to them, and are well aware of the great advantages that would result to the whole section of country through which the above road would pass; and your committee feel the strongest desire to consider favorably the prayer of the petitioners, being assured that an appropriation, necessary to complete the road, would soon be repaid to the Province, by the increased value it would give to property along its whole line. But your committee much regret, that from the present condition of the finances of the Province, they cannot recommend the appropriation of the amount prayed for, further than the sum of one thousand pounds, to finish the road from the Grand River to Simcoe, which has thus far been conducted so much to the satisfaction of the country. Your committee would, therefore, recommend a grant of one thousand pounds for that purpose.

DAVID THORBURN,

CHAIRMAN.

Committee Room, }
24th January, 1840. }

Pursuant to notice, Mr. Solicitor General, seconded by Mr. Boulton, moves for leave to bring in a bill to provide for the management of the temporalities of the Church of England in this province, and to authorise the endowment thereof by private individuals.

Bill to manage temporalities of Church of England brought in.

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

Bill read.

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

2d reading to-morrow.

Pursuant to the order of the day, the Bronte harbor bill was read the second time.

Bronte Harbor bill read 2d time and committed

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

Mr. Merritt in the chair.

The House resumed.

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

Bill reported amended.

The report was received.

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

3d reading Monday.

Pursuant to the order of the day, the House was put into a committee of the whole on the report of the select committee on the message of His Excellency the Governor General, relative to the bill to purchase the private stock of the Welland Canal.

Com. of whole on report on message on Welland Canal stock purchase bill.

Mr. Mathewson in the chair.

The House resumed.

The chairman reported that the committee had adopted the report, and submitted it for the adoption of the House.

Report adopted.

The report was received.

Pursuant to the order of the day, the address to Her Majesty on the subject of the bill to purchase the private stock in the Welland Canal was read the second time.

Address to Her Majesty on Welland Canal stock bill read second time and committed.

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

Mr. Rykert in the chair.

The House resumed.

Address reported.

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

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Merritt, seconded by Mr. Rykert, moves that the address be not read a third time on to-morrow, but that it be read a third time this day.

3d reading to-day.

Which was carried, and the address was ordered to be engrossed and read a third time this day.

Bill to indemnify sufferers read second time and committed.

Pursuant to the order of the day, the bill to indemnify from loss, sufferers by the late rebellion, was read the second time.

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

Mr. Sherwood in the chair.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading Monday.

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

Freeholders' Bank bill read second time and committed.

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

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

Mr. Rykert in the chair.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

Bill reported amended.

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

The report was received.

3d reading Monday.

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

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

200 copies of documents respecting Welland Canal stock bill to be printed.

Ordered—That two hundred copies of the address, report, and accompanying documents, on the subject of purchasing out the private shareholders of the Welland Canal, be printed for the use of the members.

Speaker reports messages from Gov. General

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents.

Messages.

The messages were read by the Speaker as follows :

C. POULETT THOMSON:

Message, with reports of Commissioners.

With reference to his message of the 20th instant, the Governor General transmits, herewith, to the House of Assembly, the copies of such further Reports from the Commissioners for investigating the state of the Public Departments as it has been possible, up to the present time, to transcribe.—
 The Appendices to these reports will be furnished to the House, as soon as possible, but the voluminous nature of some of them will make a short delay unavoidable.

Court of Requests,
 Office of Inspector General,
 Office of Commissioner of Crown Lands,
 Salaries of Public Officers.

Toronto,

Twenty-fourth day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the Report of the Trustees of the Toronto General Hospital, for the year 1839.

Message, with report of Toronto Hospital.

Toronto,
Twenty-fourth day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the Report of the Trustees of the Macadamized road from Brockville to St. Francis, for the year 1839.

Message, with report on Brockville and St. Francis road.

Toronto,
Twenty-fourth day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits to the House of Assembly, with reference to his previous message, of the 20th instant, the statement furnished by the Treasurer of the Ottawa District, of moneys received and disbursed by him for repair of roads and bridges, under Acts of the present Parliament, and the Wild Land Assessment Law.

Message with statement of Ottawa District road moneys.

Toronto,
Twenty-fourth day of January, 1840.

*For Further Reports of Commissioners on Public Departments,
Report of Trustees Toronto General Hospital,
Report of Trustees Brockville and St. Francis Road,
And Statement of Road Moneys, District of Ottawa—see Appendix.*

Pursuant to notice, Mr. Rykert, seconded by Mr. Thorburn, moves that this House do now resolve itself into a committee of the whole, for the purpose of providing for the payment of pensions to militia-men disabled by wounds and injuries received while upon actual service during the late war with the United States of America, and also to the widows of deceased militia-men, who died from wounds or injuries received while upon actual service during the late war with the United States of America, under certain restrictions.

Com. of supply on militia pensions.

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

Mr. Small in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

Resolution reported.

The report was received.

The resolution was put and carried, as follows :

Resolved—That there be granted to Her Majesty the sum of twenty pounds, to enable Her Majesty to pay a like sum of twenty pounds each to such militia-men as are disabled from wounds and injuries received while upon actual service during the late war with the United States of America ; and also the like sum of twenty pounds each to the widows of deceased militia-men, who died from wounds and injuries received while upon actual service during the late war with the United States of America, upon the production of satisfactory evidence by such militia-men and widows, to the Governor, of such disability or decease.

Resolution.

- On motion of Mr. Rykert, seconded by Mr. Woodruff,
- Com. to draft bill thereon. *Ordered*—That Messrs. Thorburn and Gowan be a committee to draft and report a bill pursuant to the resolution of this House granting pensions to certain militia-men and widows.
- On motion of Mr. Small, seconded by Mr. Manahan,
- Message, with report on Public Departments referred to committee on that subject. *Ordered*—That the message of His Excellency the Governor General, of this day, with the accompanying reports of the commissioners appointed to investigate and report upon the public departments, be referred to the select committee to whom was referred that part of His Excellency's speech at the opening of the present session which refers to the said departments.
- Gaol limits extension bill brought in. Pursuant to notice, Mr. Richardson, seconded by Mr. Chisholm of *Halton*, moves for leave to bring in a bill to extend the limits of the different gaols in this province.
- Bill read. Which was granted, and the bill was read the first time.
- On the question for the second reading of the bill to-morrow,
- In amendment*—Mr. Richardson, seconded by Mr. Chisholm of *Halton*, moves that the gaol limit extension bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House, be suspended for that purpose.
- Bill read second time and concurred in. Which was carried, and the bill was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Aikman in the chair.
- The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- Division on third reading to-morrow. On the question for the third reading of the bill to-morrow, the yeas and nays were taken as follows:
- Y E A S .
- Yeas—21. Messrs. *Aikman, Armstrong, Burwell, Chisholm of Halton, Chisholm of Glengarry, Dettor, Gowan, Hotham, Kearnes, Manahan, Mathewson, McCargar, McDonell of Glengarry, McDonell of Stormont, McMicking, Merritt, Parke, Prince, Richardson, Ruttan, Salmon, Shaver, Thomson, Thorburn*—24.
- N A Y S .
- Nays—6. Messrs. *Burritt, Cartwright, Cook, McIntosh, Rykert, Solicitor General*—6.
- Carried—majority 18. The question was carried in the affirmative by a majority of eighteen, and the bill was ordered to be engrossed and read a third time to-morrow.
- On motion of Mr. Thorburn, seconded by Mr. Chisholm of *Halton*,
- 200 copies of reports on public departments to be printed. *Ordered*—That two hundred copies of the reports of the commissioners appointed to investigate the public departments, sent down this day by His Excellency the Governor General, be printed for the use of members, in pamphlet form, with marginal notes.
- Adjourned.

SATURDAY, 25th January, 1840.

The House met.

The minutes of yesterday were read.

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

By Mr. Solicitor General, the petition of William Chisholm.

By Mr. Ruttan, the petition of Sheldon Hawley, Esq., of the district of Newcastle.

By Mr. Merritt, the petition of Dexter D'Everardo, and ninety-four others, of the townships of Pelham and Thorold, in the district of Niagara.

By Mr. Ruttan, the petition of Francis Dixon, of the district of Newcastle.

And by Mr. Morris, the petition of James Sampson and seventeen others, subscribers to the New Hospital at Kingston; and the petition of John Machar and John Mowat.

Pursuant to the order of the day, the Address to Her Majesty, on the subject of the bill to purchase the private stock in the Welland Canal, was read the third time.

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

Petitions brought up:

W. Chisholm.

S. Hawley.

D. D'Everardo and 94 others.

F. Dixon.

J. Sampson and 17 others.

J. Machar and J. Mowat.

Address to Her Majesty on Welland Canal stock purchase bill read third time.

Division on passing.

N A Y S .

Messrs. Aikman, Burritt, Burwell, Caldwell, Cartwright, Elliott, Hoiham, Hunter, Manahan Mathewson, McDonell of Glengarry, McDonell of Northumberland, McKay, McMicking, Merritt, Murney, Parke, Prince, Shade, Sherwood, Solicitor General, Thomson, Woodruff—23.

Yeas—23.

Y E A S .

Messrs. Chisholm of Glengarry, Cook, Duncombe, Gowan, McCargar, McDonell of Stormont, McIntosh, Moore, Morris, Richardson, Ruttan—11.

Nays—11.

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

Carried—majority 12.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully represent, That in the year 1836, the Legislature passed a bill, the object of which was to increase the public stock in the Welland Canal, to place the direction under the control of the Executive Government, and provide a due remuneration for the private shareholders out of the proceeds of the Canal.

Address.

This Act received an interpretation from the directors which the private shareholders feared would deprive them of any remuneration.

In 1837, they petitioned this House, praying that the government would purchase out their interest in the Welland Canal. In accordance with their wishes, an Act was passed by the Legislature of this Province, authorising the government to make this purchase, which Act was reserved for the Royal Assent, and which, by the Governor General's message of the 14th instant, this House finds is still under the consideration of Your Majesty's Government.

A select committee of this House, to whom the subject has been referred during the present Session of the Provincial Legislature, have made their report upon the same, and Your Majesty's faithful Commons feel it to be but an act of justice to the private shareholders to address Your Majesty, praying that Your Majesty will be graciously pleased that the Royal Assent may not be withheld from the said Act, for the reasons assigned in the said report, copy of which, with sundry documents, Your Majesty's faithful Commons beg leave to transmit to Your Majesty, appended to this Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly }
Twenty-fifth day of January, 1840. }

Victoria assessment bill
(3d) read third time
and passed.
Title.

Pursuant to the order of the day, the bill to levy an additional assessment on the District of Victoria was read the third time and passed.

Mr. Murney, seconded by Mr. Manahan, moves that the bill be entitled "An Act to extend the period for which the magistrates of the District of Victoria are authorised to levy an additional rate in the said district, by an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'An Act to authorise the erection of the County of Hastings into a separate District.'" "

Bill sent to Leg. Council

Which was carried, and Messrs. Murney and Manahan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Toronto Incorporation
amendment bill read
third time.

Pursuant to the order of the day, the Toronto incorporation amendment bill, as amended, was read the third time.

Motion to dispense with
notice in the Gazette.

Mr. Solicitor General, seconded by Mr. Sherwood, moves that the rules of this House respecting notice in the Gazette, be dispensed with, so far as regards the bill for continuing the act incorporating the City of Toronto.

Division.

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

Y E A S .

Yeas—31.

Messrs. *Bockus, Burwell, Caldwell, Cartwright, Chisholm* of Halton, *Cook, Duncombe, Elliott, Ferrie, Hunter, Lewis, Malloch, Mathewson, McDonell* of Glengarry, *McDonell* of Northumberland, *McKay, McLean, Merritt, Prince, Richardson, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff*—31.

N A Y S .

Nays—9.

Messrs. *Aikman, Chisholm* of Glengarry, *McCargar, McDonell* of Stormont, *McIntosh, McMicking, Moore, Small, Thomson*—9.

Carried—majority 22.

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

Bill passed.

The bill was then passed.

Title.

Mr. Solicitor General, seconded by Mr. Shaver, moves that the bill be entitled "An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled 'An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the City of Toronto.'" "

Bill sent to Leg. Council

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

Gaol limits extension
bill read third time.

Pursuant to the order of the day, the Gaol limits extension bill, was read the third time.

On the question for passing the bill,

In amendment—Mr. Richardson, seconded by Mr. Aikman, moves that the bill providing for the extension of the Gaol limits, do not now pass, but that it be recommitted forthwith, for the purpose of amending the same.

Bill recommitted.

Which was carried, and the House was put into a committee of the whole on the bill.

Mr. Kearnes in the chair.

The House resumed.

Bill reported amended

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

The report was received.

3d reading Monday.

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

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

	<i>Petitions read :</i>
Of N. H. Baird, Civil Engineer, praying remuneration for his professional attendance before a committee of this House.	N. H. Baird.
Of Thomas Millman and one hundred and fifteen others of the district of Gore, praying that the act rendering said district liable for the re-payment of the loan required for the construction of the Great Western rail road, may be repealed.	T. Millman and 115 others.
Of Thomas Saunders, J. P., and twenty-eight others, of Guelph, in the district of Gore, praying the same.	T. Saunders and 28 others.
And of the President and Directors of the Port Hope Harbor and Wharf Company, praying for an increase of their capital stock, &c.	President and Directors of Port Hope Harbor Co.
Mr. Ruttan, seconded by Mr. McDonell of <i>Glengarry</i> , moves that the petition of Sheldon Hawley, Esq., be now read, and that the forty-first rule of this House be dispensed with so far as it relates to the same.	
Which was carried, and the petition of Sheldon Hawley, Esq., of the district of Newcastle, praying that the loss incurred by him, from the destruction of his property by an incendiary may be made good to him—was read.	S. Hawley, Esq.
On motion of Mr. Ruttan, seconded by Mr. Richardson,	
<i>Ordered</i> —That the petition of Sheldon Hawley, Esq., be referred to the committee of the whole on supply, on Monday next, after receiving reports.	<i>Petitions referred :</i> Of S. Hawley, Esq. to com. of supply on Monday.
On motion of Mr. Sherwood, seconded by Mr. Rykert,	
<i>Ordered</i> —That the petition of Alpheus Todd be referred to a select committee, consisting of Messieurs Cartwright, Merritt, and Hotham, with power to report thereon.	Of A. Todd to sel.com.
On motion of Mr. Parke, seconded by Mr. Cook,	
<i>Ordered</i> —That the several petitions of Joseph B. Clench, Esq., Chairman of the Quarter Sessions of the district of London, and twenty-seven others, Philo Bennett, and twenty-three others, and Anselm Foster and twenty-eight others, praying for an extension of the jail limits of the town of London, be referred to a select committee, to be composed of Messieurs Burwell and Richardson, to report thereon by bill or otherwise.	Of J. B. Clench and 27 others, P. Bennett and 23 others, and A. Foster and 28 others, to sel. com.
On motion of Mr. Shade, seconded by Mr. Chisholm of <i>Halton</i> ,	
<i>Ordered</i> —That the petitions of Thomas Millman and others, and Thomas Saunders, J. P., and others, be referred to a select committee to consist of Messieurs Caldwell, McCrae, Gowan, and Ruttan, to report thereon by bill or otherwise.	Of T. Millman and others, and T. Saunders and others, to sel.com.
Mr. Solicitor General gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend the law respecting the issuing commissions of assize and <i>Nisi Prius</i> .	Notice of bill to amend law for issuing commissions of assize, &c.
Mr. Burwell, from the select committee to which was referred the petition of John McDonell and Hamlet B. Mears, presented a report, which was received and read.	Sel. com. on petition of McDonell and Mears present report.

Report—(See Appendix.)

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

Ordered—That the report of the select committee on the petition of John McDonell and Hamlet B. Mears, Esquires, be referred to a committee of the whole on supply on Monday next.

Mr. Thompson, from the committee to wait upon His Excellency the Governor General, with the address for a return of lands granted for the support of common schools, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I will direct the returns applied for in this address to be prepared immediately, and, when prepared, they shall be communicated to the House of Assembly.

Toronto,

Twenty-fifth day of January, 1840.

Committee to carry up
address on confiscations
report answer.

Mr. Thomson, from the committee to wait upon His Excellency the Governor General, with the address respecting the confiscation of the estates of traitors, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN OF THE HOUSE OF ASSEMBLY,

Answer.

The confiscation of the property of traitors to the Crown, is a legal consequence of their conviction, and the estates of such as have incurred this penalty are now vested in Her Majesty.

I will direct the attention of the proper officer to the carrying into effect such measures as Her Majesty's Government may determine upon, with respect to the disposal of the property referred to.

Committee to carry up
address for copy of
petition from Middlesex
report answer.

Mr. Parke, from the committee to wait upon His Excellency the Governor General, with the address for a copy of a certain petition from the inhabitants of the county of Middlesex, &c., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

Answer.

I have directed the papers called for by this Address to be prepared, and will transmit them to the House as soon as they are completed.

Toronto,
Twenty-fifth day of January, 1840.

Sel. com. on petition of
W. Gamble and others,
report Humber Harbor
bill.

Mr. Cartwright, from the select committee to which was referred the petition of William Gamble and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

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

2d reading Monday.

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

Sel. com. on population
returns. present report.

Mr. Sherwood, from the select committee to which were referred the population returns, presented a report, which was received and read.

Report—(See Appendix.)

Sel. com. on address on
Mr. Manahan present
report.

Mr. Gowan, from the select committee to which was referred the address to His Excellency the Governor General, in behalf of A. Manahan, Esq., presented a report, which was received and read.

Report—(See Appendix.)

Sel. com. on petition of
S. Kerry present report

Mr. Prince, from the select committee to which was referred the petition of Susannah Kerry, presented a report, which was received and read as follows:

To the Honorable the Commons House of Assembly :

Report.

The select committee, to whom was referred the petition of Susannah Kerry widow, beg leave to report:—

That the claim of Mrs. Kerry does not appear to come within the provisions of the Act granting pensions to the widows of militia men killed when on actual service, but it bears a strong resemblance to that of Mrs. Usher, to whom the annual sum of £100 has been granted; and although the committee do not recommend so large an allowance, they respectfully represent that a pension, at least, equal to that to which the widows of deceased militia men are entitled, should be granted. There is no reasonable doubt that Mrs. Kerry's husband was assassinated, in consequence of his loyalty to his Sovereign, either by domestic traitors or foreign brigands.

All which is respectfully submitted.

WILLIAM M'CRAE,
CHAIRMAN.

Committee Room, House of Assembly, }
24th January, 1840.

On motion of Mr. Prince, seconded by Mr. McCrae,

Ordered—That the report of the select committee on the petition of Susannah Kerry be referred to a committee of the whole House on supply on Monday next. Report referred to com. of supply, Monday.

Mr. Thorburn, from the committee to draft a bill pursuant to the resolution of this House granting pensions to militia-men, reported a draft, which was received and read the first time. Com. report Militia pension bill.

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

In amendment—Mr. Thorburn, seconded by Mr. Rykert, moves that the bill be not read a second time on Monday next, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with so far as relates to the same. 2d reading to-day.

Which was carried and ordered.

Mr. Cartwright, from the select committee to which was referred the resolution of this House for an address to His Excellency the Governor General on the subject of the Lunatic Asylum, presented a report, which was received and read. Sel. com. on resolution on Lunatic Asylum, present report.

Report—(See Appendix.)

Mr. Shade, from the select committee to which were referred the petitions of Thomas Millman, and others, and Thomas Saunders, and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Sel. com. on petitions of T. Millman and others, and T. Saunders and others, report bill to amend Great Western rail road loan Act. Bill read.

The report was received, and the bill to repeal the act rendering the districts through which the Great Western Rail Road may be carried, liable for the repayment of the loan required for the construction of the same, was read the first time.

Mr. Shade, seconded by Mr. McCrae, moves that the thirty-ninth rule of this House, requiring a notice in the Official Gazette, be dispensed with so far as relates to this bill. Motion to dispense with notice in Gazette.

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

Y E A S .

Messrs. Caldwell, Kearnes, McCrae, Shade—4.

Division.

Yeas—4.

N A Y S .

Messrs. Aikman, Bockus, Burwell, Chisholm of Glengarry, Cook, Duncombe, Elliott, Ferrie, Hunter, Manahan, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Morris, Parke, Prince, Richardson, Salmon, Sherwood, Thorburn, Wickens, Woodruff—26.

Nays—26.

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

Lost—majority 22.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to confirm certain sales of land for taxes in the district of Ottawa.

Ottawa land sale bill again committed.

Mr. Caldwell in the chair.

The House resumed.

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

The report was received.

Ordered—That the bill be engrossed and read a third time on Monday next. 3d reading Monday.

Pursuant to the order of the day, the House was again put into a committee of the whole on that part of the message of His Excellency the Governor General, of the 14th instant, which relates to the bill to grant land to James FitzGibbon, Esq. Com. of whole on message on Col. FitzGibbon's land bill.

Mr. McDonell of Northumberland, in the chair.

The House resumed.

Resolution reported.

The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The resolution was put and carried, as follows :

Resolution.

Resolved—That it is expedient to pass a bill repealing the Act 7th William IV, chap. 118, entitled "An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein mentioned," so far as to enable Her Majesty to make a grant of five thousand acres of land to James FitzGibbon, Esquire.

On motion of Mr. Burwell, seconded by Mr. Murney,

Com. to draft bill thereon.

Ordered—That the resolution of this House relating to a grant of land to James FitzGibbon, Esquire, be referred to a select committee, consisting of Messrs. Merritt and Chisholm of *Halton*, to report thereon by bill.

Bill reported.

Mr. Merritt, from the committee to draft a bill pursuant to the foregoing resolution, reported a draft, which was received and read the first time.

On the question for the second reading of the bill on Monday next,

Bill read second time and committed.

In amendment—Mr. Burwell, seconded by Mr. Merritt, moves that the bill be not read a second time on Monday next, but that it be read a second time forthwith ; and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading Monday.

Ordered—That the bill be engrossed and read a third time on Monday next.

Address to Her Majesty on C. Leggo read 2d time and committed.

Pursuant to the order of the day, the address to Her Majesty in behalf of Christopher Leggo, was read the second time.

The House was put into a committee of the whole on the address.

Mr. Gamble in the chair.

The House resumed.

Address reported.

The chairman reported that the committee had agreed to the address without amendment and submitted it for the adoption of the House.

The report was received.

3d reading Monday.

Ordered—That the address be engrossed and read a third time on Monday next.

Militia pension bill read 2d time and committed.

Pursuant to the order of the day, the Militia Pension bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Aikman in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading Monday.

Ordered—That the bill be engrossed and read a third time on Monday next.

Still duty bill read 2d time and committed.

Pursuant to the order of the day, the bill to amend the law regulating the duty on stills was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Merritt in the chair.

Mr. Speaker resumed the chair, the Black Rod being at the door. Black Rod.
 Mr. Speaker left the chair.
 The chairman resumed the chair of committee.
 The House resumed.
 The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.
 The report was received.
Ordered—That the bill be engrossed and read a third time on Monday next. 3d reading Monday.
 Pursuant to the order of the day, the House was again put into a committee of the whole on the address to His Excellency the Governor General, in behalf of the contractors on the Hamilton and Brantford road.
 Mr. Gamble in the chair. Address to His Exc'y on Hamilton and Brantford road contractors again committed.
 The House resumed.
 The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House. Address reported.
 The report was received.
Ordered—That the address be engrossed and read a third time on Monday next. 3d reading Monday.
 Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council several messages, and the bill entitled "An Act to incorporate certain persons under the style and title of the Oakville Hydraulic Company; and also the bill entitled "An Act to alter and amend the act passed in the third Session of the present Parliament entitled 'An Act to authorize the establishment of Boards of Boundary Line Commissioners within the several districts of this Province,'" to which that Honourable House had made some amendments, and requested the concurrence of this House thereto. Speaker reports messages from Leg. Council
Oakville Hydraulic Company bill, and Boundary Commissioners bill, sent down amended.
 The messages were read as follows : Messages.

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to define the limits of the town of London, in the district of London, and to establish a Board of Police therein," without any amendment. London Police bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-third day of January, 1840. }

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act for stopping up parts of streets in the town plot of Sandwich, in the Western District, and for other purposes therein mentioned," without any amendment. Sandwich road bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-fourth day of January, 1840. }

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act authorising the levying of an additional tax on the district of Dalhousie, for the purpose of building a Gaol and Court House therein," without any amendment. Dalhousie tax bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-fifth day of January, 1840. }

Amendments to Oakville Hydraulic Company bill read first time

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to incorporate certain persons under the style and title of the Oakville Hydraulic Company," were read the first time, as follows:

Amendments.

Press 4, Line 9,—After "hundred" insert "*Provided always*, that nothing herein contained shall authorise the said Company to carry on the business of Banking."

" 8, " 10,—After "shall" insert "be."

" 9, " 12,—After "whatsoever" add to the bill, " 18. *And be it further enacted by the authority aforesaid*, That it shall remain in the power of the Legislature to make any alterations in the provisions of this Act, or addition thereto, which may seem to them expedient."

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }
Twenty-fifth day of January, 1840. }

On the question for the second reading of the amendments on Monday next,

In amendment—Mr. McKay, seconded by Mr. Mathewson, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to incorporate certain persons under the style and title of the Oakville Hydraulic Company," be not read a second time on Monday next, but that they be read a second time forthwith; and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Amendments read 2d time and concurred in.

Which was carried, and the amendments were read the second time and concurred in.

Messrs. McKay and Mathewson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Boundary Commissioners' bill read first time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to alter and amend the Act passed during the third session of the present Parliament, entitled 'An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province,'" were read the first time, as follows:

Amendments.

Press 1, Line 19,—After "situate" insert "or of which it shall be a boundary line."

" 2, " 3,—After "situate" insert "or of which it shall be a boundary line."

" 2, " 6,—Add to the clause "*Provided always*, That the judgment and final decision of the said Commissioners shall be published once in the Gazette of this Province."

" 2, " 24,—After "Act" insert "so far as the same may not have been varied by the first Act herein mentioned, or by the provisions in this Act contained."

ADD TO THE BILL—

"And be it further enacted by the authority aforesaid, That no Deputy Surveyor, being a Boundary Commissioner, shall be employed to make any survey under the authority of the Board of which he is a member, nor act as a Commissioner in the decision of any case in which the boundaries in dispute may at any time heretofore have been surveyed or reported on by him, or where any survey may have been made by him which can directly or indirectly affect the question at issue.

"And be it further enacted by the authority aforesaid, That when the owner of any lot or lots in fee or for any less estate of freehold, from whom redress may be sought, shall be absent from the province, the warrant or precept authorised to be issued by the fourth section of the act herein first mentioned, shall and may be issued and delivered to the known agent of such owner as aforesaid, and shall have as full force and effect as if the same had been issued to the said owner in person.

"And whereas, doubts have arisen how far the provisions of an Act passed in the fifty-ninth year of the reign of King George the Third, entitled "An Act to repeal an Ordinance of the Province of Quebec, passed in the twenty-fifth year of His Majesty's reign, entitled "An Ordinance concerning Land Surveyors and the admeasurement of Lands," and also to extend the provisions of an Act passed in the thirty-eighth year of His Majesty's reign, entitled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province,"

and further to regulate the manner in which Lands are to be hereafter surveyed, are binding upon Boundary Commissioners; *Be it further enacted by the authority aforesaid,* That all the provisions contained in the second section of the said Act relating to Boundaries are hereby declared to be and remain in full force and virtue in all cases in which the said Commissioners may be called on to hear and determine matters in dispute touching any Line or Boundary of any Lot, Township, or Concession."

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Twenty-fifth day of January, 1840. }

Ordered—That the amendments be read a second time on Monday next.
Adjourned.

2d reading Monday.

MONDAY, 27th January, 1840.

The House met.

The minutes of Saturday were read.

The following petitions were severally brought up and laid on the table:—

By Mr. Thorburn, the petition of Lanson Hilliard of the town of Prescott.

By Mr. Cartwright, the petition of the trustees for Macadamizing the Kingston and Napanee road.

By Mr. McDonell, of Stormont, the petition of Michael Empey, J. P., and twenty-two others, of the townships of Osnabruck and Williamsburgh, in the Eastern District.

By Mr. Small, the petition of Phillip DeGrassi, Esq., of the township of York; and the petition of David Elder, of the City of Toronto.

And by Mr. Prince, the petition of Joseph Randal, of the town of Chatham.

Pursuant to the order of the day, the Bronte Harbour Bill was read the third time and passed.

Mr. Chisholm, of Halton, seconded by Mr. McKay, moves that the bill be entitled "An Act to incorporate certain persons under the name and style of the President, Directors and Company of the Bronte Harbour."

Which was carried, and Messrs. Chisholm of Halton and McKay were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill to indemnify from loss sufferers by the late rebellion, was read the third time and passed.

Mr. Prince, seconded by Mr. Sherwood, moves that the bill be entitled "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province."

Which was carried, and Messieurs Prince and Sherwood, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Freeholders' Bank bill, was read the third time and passed.

Mr. Sherwood, seconded by Mr. Prince, moves that the bill be entitled "An Act to incorporate certain persons, under the style and title of the Presidents, Directors, and Company, of the Freeholders' Bank of Upper Canada."

Petitions brought up:

Lanson Hilliard.

Trustees of Kingston and Napanee road.

M. Empey and 22 others

P. DeGrassi.
D. Elder.

J. Randal.

Bronte Harbor bill read 3d time and passed.

Title.

Bill sent to Leg. Council

Bill to indemnify sufferers by the rebellion read third time and passed.

Title.

Bill sent to Leg. Council

Freeholders' Bank bill passed.

Title.

Bill sent to Leg. Council Which was carried, and Messieurs Sherwood and Prince were ordered by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Gaol limits extension bill read third time. Pursuant to the order of the day, the bill to extend the Gaol limits, was read the third time.

Division on passing. On the question for passing the bill, the yeas and nays were taken as follows :—

N A Y S .

Yeas—19. Messrs. *Aikman, Burwell, Caldwell, Chisholm* of Glengarry, *Duncombe, Elliott, Gowan, Hotham, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, Morris, Parke, Prince, Ruttan, Salmon, Shaver, Wickens*—19.

Y E A S .

Nays—11. Messrs. *Attorney General, Burrill, Cartwright, Cook, Malloch, McLean, Murney, Powell, Rykert, Sherwood, Woodruff*—11.

Bill passed—majority 8 The question was carried in the affirmative by a majority of eight, and the bill was passed.

Title. Mr. Ruttan, seconded by Mr. Parke, moves that the bill be entitled, “An Act to extend the limits of the Gaols of this Province.”

Bill sent to Leg. Council Which was carried, and Messieurs Ruttan and Parke were ordered by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Still duty bill read third time and passed. Pursuant to the order of the day, the bill to amend the act regulating the duties on Stills, was read the third time and passed.

Title. Mr. Attorney General, seconded by Mr. Hotham, moves that the bill be entitled “An Act to revive and amend the laws relating to duties on stills in this Province.”

Bill sent to Leg. Council Which was carried, and Messrs Attorney General and Hotham were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to grant land to Col. FitzGibbon read third time. Pursuant to the order of the day the bill to make a grant of land to James FitzGibbon, Esquire, was read the third time.

Division on passing. On the question for passing the bill the yeas and nays were taken as follows :—

Y E A S .

Yeas—30. Messrs. *Aikman, Attorney General, Burrill, Burwell, Cartwright, Cook, Duncombe, Elliott, Hotham, Manahan, Mathewson, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, Morris, Murney, Parke, Powell, Prince, Ruttan, Rykert, Salmon, Shaver, Small, Thorburn, Wickens, Woodruff*—30.

N A Y .

Nay—1. Mr. *Gowan*—1.

Passed—majority 29. The question was carried in the affirmative by a majority of twenty-nine, and the bill was passed.

Title. Mr. Burwell, seconded by Mr. Merritt, moves that the bill be entitled “An Act to repeal so much of the first clause of an act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled ‘An Act to provide for the disposal of the public lands in this Province, and for other purposes therein mentioned,’ as may enable Her Majesty to make a grant of land to James FitzGibbon, Esquire.”

Bill sent to Leg. Council Which was carried, and Messrs. Burwell and Merritt were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the bill to confirm certain sales of land for taxes in the district of Ottawa, was read the third time and passed. Ottawa land sale bill read 3d time and passed

Mr. Hotham, seconded by Mr. McKay, moves that the bill be entitled "An Act to confirm and regulate certain sales of land for taxes, in the district of Ottawa." Title.

Which was carried, and Messieurs Hotham and McKay, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the Militia Pension bill was read the third time and passed. Militia Pension bill read third time and passed.

Mr. Rykert, seconded by Mr. Woodruff, moves that the bill be entitled "An Act authorising the payment of pensions to militia-men, and widows of deceased militia-men, under certain restrictions, and for other purposes therein mentioned." Title.

Which was carried, and Messieurs Rykert and Woodruff, were ordered by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the address to His Excellency the Governor General, in behalf of the contractors on the Hamilton and Brantford road, was read the third time and passed, and is as follows:— Address to His Exc'y on Hamilton and Brantford road contractors, read 3d time and passed

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to authorise Her Majesty's Receiver General to issue so much of the Debentures authorised by an Act of the Provincial Legislature at its last session, for macadamizing the road from Hamilton to Brantford, to the contractors on said work, as will pay them for work performed agreeably to contract, and approved of by the Engineer employed on the same; or that Your Excellency will adopt such other measures as you may deem fit and proper to prevent the utter ruin of a number of Her Majesty's faithful and loyal subjects of Upper Canada. Address.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Twenty-seventh day of January, 1840. }

Messrs. Aikman and Ferrie were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the address to Her Majesty in behalf of Christopher Leggo, was read the third time. Address to Her Majesty on C. Leggo read third time.

On the question for the passing the address the yeas and nays were taken as follows: Division on passing.

Y E A S.

Messrs. Aikman, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Ferrie, Gamble, Hotham, Hunter, Manahan, McCargar, McIntosh, McKay, Morris, Murney, Parke, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff—27. Yeas—27.

N A Y S.

Messrs. Boulton, Burwell, Elliott, Gowan, Kearnes, Malloch, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, Powell, Ruttan, Small, Wickens—15. Nays—15.

Address passed—
majority 12.

The question was carried in the affirmative, by a majority of twelve, and the address was passed, and is as follows :—

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

Address.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg most respectfully to inform Your Majesty, that during the last Session of the Provincial Parliament, a petition from Christopher Leggo, of the town of Brockville, in the Johnstown District, was presented to Your Majesty's Commons, setting forth the great loss sustained by him, by certain volunteers stationed in the said town of Brockville, without any cause of provocation, entering forcibly into his shop, and destroying and taking away goods to a large amount, and praying remuneration for the same—that the said petition was referred to a select committee, who having investigated minutely into the circumstances of the case, reported as follows:

“That they have carefully examined into the prayer of said petitioner, and find that the said Christopher Leggo had a shop in the town of Brockville, in the Johnstown District, and that during the winter 1838, said shop was forcibly entered by some of the volunteers on actual service stationed in that place for the protection of the inhabitants, without any cause or provocation, and for which some of said volunteers were tried, arraigned and convicted.

“Petitioner represents his loss at two hundred and forty-six pounds, and has furnished your committee a copy of a certificate corroborating his statements, which is as follows: ‘We the undersigned are cognizant to the facts set forth in Mr. Leggo's petition which are strictly correct, and do therefore from our personal knowledge of his character and conduct, recommend him to the favorable consideration of the Governor General.’

(Signed)

“CHARLES JONES, L. C.

“E. HUBBLE.

“JAMES MORRIS,

And several other Magistrates, the Sheriff, Clerk of the Peace, two Clergymen, and several Barristers and Merchants, which certificate, and a petition, were forwarded to Lord Durham as Governor General, and by him transmitted to Sir George Arthur, who expressed his regret that he knew of no fund from which it was in his power to pay Mr. Leggo, but recommended him to apply to Your Honorable House.

“Your Committee have carefully taken the whole case into their consideration, and cannot but express their strong condemnation of the conduct of the volunteers, and their sincere regret that any part of a force so distinguished for loyalty, courage and patriotism, should thus sully their well won honours by acts of insubordination and outrage, alike dangerous to the stability of the government and the liberty of the people.

“As there is no fund from which the petitioner can be paid by the Executive, and the outrage having been committed by men immediately in the employ of Her Majesty's Government, your committee beg leave to recommend an humble address to Her Majesty, praying Her to pay the amount claimed.”

The above report having been adopted by Your Majesty's faithful Commons, during the present session of the Provincial Legislature, we beg most respectfully to urge upon Your Majesty's Royal consideration the prayer of the petitioner, as by the loss he has thus sustained, his business has been nearly destroyed, and his family brought to experience much hardship and privation.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Twenty-seventh day of January, 1840. }

Petitions read:

C. Fothergill.

Harvey Fowler.

Pursuant to the order of the day, the following petitions were read :

Of Charles Fothergill, Editor of the “Palladium” newspaper, of the City of Toronto, praying remuneration for certain Pamphlets furnished the House of Assembly.

And of Harvey Fowler, praying remuneration for reporting the debates of the House, during the second Session of the twelfth Parliament.

Mr. Thorburn, seconded by Mr. McKay, moves that the petition of Lanson Hilliard, be now read, and that the forty-first rule of this House be dispensed with for that purpose.

L. Hilliard.

Which was carried, and the petition of Lanson Hilliard, of the town of Prescott, praying to be naturalized, was read.

Mr. McDonell, of Stormont, seconded by Mr. Small, moves that the petition of Michael Empey and John Crysler, Justices of the Peace, for the Eastern District, and other inhabitants of the townships of Osnabruck and Williamsburgh, be now read, and that the forty-first rule of this House be dispensed with, as far as relates to the same.

Which was carried, and the petition of Michael Empey, J. P., and twenty-two others, of the townships of Osnabruck and Williamsburgh, in the Eastern District, praying for aid to build a certain bridge, was read.

On motion of Mr. Thorburn, seconded by Mr. Woodruff,

Ordered—That the petition of Lanson Hilliard, be referred to a select committee, to be composed of Messrs. McKay and Prince, with power to report thereon by bill or otherwise.

On motion of Mr. McDonell, of Stormont, seconded by Mr. Small,

Ordered—That the petition of Michael Empey and John Crysler, Justices of the Peace, for the Eastern District, and other inhabitants of the townships of Osnabruck and Williamsburgh, be referred to the committee on roads and bridges, to report thereon.

On motion of Mr. Manahan, seconded by Mr. Mathewson,

Ordered—That the select committee on the petition of Aeneas Bell be discharged, and that the said petition be referred to the committee to whom was referred the Message of His Excellency the Governor General, on the subject of claims, for losses sustained in consequence of the disturbed state of the Province.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

Ordered—That the petition of the President, Directors, and Company, of the Port Hope Harbor, be referred to a select committee, to consist of Messrs. Thorburn and Ruttan, to report thereon by bill or otherwise.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Ordered—That the petition of Joseph Turton be referred to a select committee, consisting of Messrs. Powell, Small and Elliott, with power to send for persons and papers and to report thereon.

On motion of Mr. Prince, seconded by Mr. Woodruff,

Ordered—That the several petitions of Charles Fothergill, and Harvey Fowler, be referred to the committee on contingencies.

Mr. Sherwood gives notice that he will on to-morrow, move that a humble address be presented to Her Majesty, humbly beseeching Her Majesty to restore to the pension list of the United Kingdom of Great Britain and Ireland, that deserving and meritorious class of our fellow subjects in this Province who have heretofore commuted their well-earned pensions upon terms most ruinous to themselves and families.

Mr. Prince gives notice that he will, on to-morrow, move that an humble address be presented to Her Majesty, humbly beseeching Her Majesty to recommend the Imperial Parliament to grant a sum of money sufficient to pay all losses and claims arising from the late invasions of this Province by foreigners and others from the United States, and to indemnify this Province from all losses consequent thereon.

Mr. Ruttan gives notice that he will on to-morrow, move that this House do resolve itself into a committee of supply for the purpose of granting to Her Majesty a sum of money to remunerate persons who may have suffered loss from the acts of incendiaries since the 5th December, 1838.

Mr. Prince, from the select committee to which were referred the several petitions of J. B. Clench, and twenty-seven others; Philo Bennett, and twenty-three others; and Anselm Foster, and twenty eight others; informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received, and the bill was read the first time.

Ordered—That the bill to enlarge the gaol limits of the district of London be read a second time to-morrow.

M. Empey and 22 others.

Petitions referred:

Of L. Hilliard, to select committee.

Of M. Empey and others to com. on roads and bridges.

Of Aeneas Bell (board, &c.) discharged from sel. com. and referred to com. on message on claims.

Of President, &c. Port Hope Harbor Company.

Of J. Turton.

Of C. Fothergill, Of H. Fowler, to com. on contingencies.

Notices:

Of address to Her Majesty on Chelsea Pensioners.

Of address to Her Majesty on claims for losses from the rebellion

Of motion for com. of supply on remunerating sufferers by incendiarism since 1838.

Sel. com. on petitions of J. B. Clench and others, P. Bennett and others, and A. Foster and others, report London Gaol limits bill.

Bill read.

2d reading to-morrow.

Sel. com. on petition of C. Widmer and 2 others present report.

Mr. Manahan, from the select committee, to which was referred the petition of Christopher Widmer, Esquire, and two others, presented a report, which was received and read.

Report—(See Appendix.)

Report referred to supply.

On motion of Mr. Manahan, seconded by Mr. Sherwood,

Ordered—That the report now read be referred to a committee of supply on to-morrow.

Committee to carry up address on fines report answer.

Mr. Small, from the committee to wait upon His Excellency the Governor General with the address, for a return of fines, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN:

Answer.

I will cause the Justices of the Peace in this province to be called on without delay for the returns alluded to in this address, and immediately they are received I will cause them to be transmitted to the House of Assembly.

Toronto,
Twenty-fifth day of January, 1840.

Com. report bill to instruct deaf and dumb. Bill read.

Mr. McLean, from the committee to draft a bill pursuant to the resolution of this House granting a sum of money for the instruction of the deaf and dumb, reported a draft, which was received and read the first time.

2d reading to-morrow.

Ordered—That the bill to provide for the instruction of the deaf and dumb be read a second time to-morrow.

Com. report Chatham bridge completion bill. Bill read.

Mr. Caldwell, from the committee to draft a bill pursuant to the resolution of this House granting a sum of money to complete the Chatham bridge, reported a draft, which was received and read the first time.

2d reading to-morrow.

Ordered—That the bill to complete the Chatham bridge be read a second time to-morrow.

Com. to carry up address for certain population and assessment returns, report answer.

Mr. McDonell of *Glengarry*, from the committee to wait upon His Excellency the Governor General, with the address for certain population and assessment returns, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

I will direct the returns to be made, and laid before the House.

Sel. com. on petition of J. Smith present report.

Mr. Ferrie, from the select committee to which was referred the petition of John Smith, presented a report, which was received and read.

Report—(See Appendix.)

Committee to carry up address for appendices to reports on public departments, report answer.

Mr. Gamble, from the committee to wait upon His Excellency the Governor General, with the address for copies of the appendices of the reports of the commissioners on the public departments, together with the report on the office of the commissioner of crown lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

I have already given directions to transmit the report on the office of the Commissioner of Crown Lands, together with such other reports as I have received, to the House of Assembly, and I have informed the House that the appendices to these reports would be furnished as soon as they could be copied.

Mr. Gamble, from the committee to wait upon His Excellency the Governor General, with the address for the appointment of a commission to revise the provincial statutes, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Com. to carry up address on commission to revise Statutes, report answer.

GENTLEMEN,

I shall have great pleasure in meeting the wishes of the House of Assembly, and I will take into consideration the best means of complying with their desire in this important subject.

Answer.

Pursuant to the order of the day, the House was put into a committee of supply on the petition of Sheldon Hawley, Esquire.

Com. of supply on petition of S. Hawley.

Mr. Salmon in the chair.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had made some progress and asked leave to sit again to-morrow.

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the address to His Excellency the Governor General, respecting the site of the Lunatic Asylum, was read the second time.

Address on site of Lunatic Asylum read 2d time and committed.

The House was put into a committee of the whole on the address.

Mr. Thorburn in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

On the question for receiving the report, the yeas and nays were taken as follows:—

Division on receiving report.

YEAS.

Messrs. Aikman, Burwell, Cook, Gamble, Gowan, Hunter, Malloch, McCargar, McIntosh, Morris, Salmon, Shaver, Sherwood, Solicitor General, Thomson—15.

Yeas—15.

NAYS.

Messrs. Bockus, Burrill, Cartwright, Chisholm of Glengarry, Manahan, Mathewson, McDonell of Glengarry, Murney, Prince, Thorburn,—10.

Nays—10.

The question was carried in the affirmative, by a majority of five, and the report was received.

Report received—majority 5.

Pursuant to notice, Mr. Mathewson, seconded by Mr. Powell, moves for leave to bring in a bill to reduce the fees of Magistrates, and provide for the more certain return of fines.

Bill to reduce Magistrates' fees brought in.

Which was granted, and the bill was read the first time.

Bill read.

Ordered—That the bill be read a second time to-morrow.

2d reading to-morrow.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council several messages, and the bill entitled "An Act to prevent the circulation of printed promissory notes under the value of five shillings," which that Honorable House had passed; and also the bill entitled, "An Act to incorporate certain persons under the title of the York Bridge Company," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Speaker reports messages from Leg. Council. Bill to prevent issue of small notes, sent down for concurrence.

York bridge bill sent down amended.

Messages.

The messages were read as follows :

MR. SPEAKER:

Bill to increase
Speaker's salary passed
Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to enable Her Majesty to remunerate the services of Sir Allan Napier MacNab, Knight, Speaker of the Commons House of Assembly," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twenty-seventh day of January, 1840. }

Mr. SPEAKER:

Inn-keepers' license
regulation bill passed
Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act for further regulating the manner of granting Licenses to Inn-keepers, and to the keepers of Ale and Beer houses within this Province," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twenty-seventh day of January, 1840. }

Bill to prevent issue of
small notes read first
time.

The bill sent down by the Honorable the Legislative Council, entitled, "An Act to prevent the circulation of printed promissory notes under the value of five shillings," was read the first time.

2d reading to-morrow.

Ordered—That the bill be read a second time to-morrow.Amendments to York
bridge bill read first
time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to incorporate certain persons under the title of the York Bridge Company," were read the first time, as follows:

Amendments.

- Press 1, Line 2,—After "would" expunge "greatly conduce to the advancement of" and insert "be a great public convenience to,"
- " 1, " 21,—After "necessary" insert "*Provided always*, that such estate shall;" after "not" expunge "over" and insert "exceed."
- " 2, " 7,—After "Niagara" insert "at such time and."
- " 2, " 13,—After "mentioned" expunge to "in" in line 14.
- " 4, " 8,—After "make" insert "such."
- " 5, " 5,—After "that" expunge "nothing herein contained shall extend to prevent."
- " 5, " 6,—Expunge "from paying" and insert "shall pay."
- " 6, " 13,—After "tolls" expunge "thereon" and insert "on the said bridge."
- " 6, " 19,—After "exceed" expunge "ten per cent more than is" and insert "those which are."
- " 8, " 6,—After "shall" insert "for every such offence."

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twenty-seventh day of January, 1840. }

On the question for the second reading of the amendments to-morrow,

In amendment—Mr. Merritt, seconded by Mr. Aikman, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to incorporate certain persons under the title of the York Bridge Company," be not read a second time to-morrow, but be read a second time forthwith; and that the thirty-eighth rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the amendments were read the second time and concurred in.

Amendments read 2d time and concurred in.

The amendments were then read the third time and passed.

Amendments passed.

Messrs. Merritt and Cartwright were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Adjourned.

TUESDAY, 28th January, 1840.

The House met.

The minutes of yesterday were read.

Mr. Shade brought up the petition of John Wetenhall and one hundred and eleven others, of the County of Halton, which was laid on the table.

Petition of J. Wetenhall and 111 others brought up.

Mr. Thomson gives notice that he will, on to-morrow, move that it be *Resolved*—That a bill for the better regulation of elections having been rejected by this House during the present Session, but as the House are now informed by a member in his place that the same had been rejected on account of its having been deprived of certain clauses providing for the registration of votes, and therefore the House permit this bill for the better regulation of Elections to be ordered in,—some matters not contained in the former bill being inserted.

Notice of resolution respecting election bill.

Pursuant to the order of the day, the following petitions were read :

Petitions read :

Of William Chisholm, Esq., praying that the period for the repayment of the loan to improve the Oakville Harbour may be extended, or that the harbour may be assumed by Government.

W. Chisholm—
(Oakville Harbor.)

Of Dexter D'Everardo, and ninety-four others, of the townships of Pelham and Thorold, in the District of Niagara, praying for a further grant of money to improve the Great Canboro' road.

D. D'Everardo and 94 others.

Of Francis Dixon, of the District of Newcastle, praying remuneration for his services during the Revolutionary War.

F. Dixon.

Of James Thomson and seventeen others, subscribers to the New Hospital at Kingston, praying that the University to be established at Kingston may be allowed the temporary use of the Hospital.

J. Thompson and 17 others.

And of John Machar and John Mowatt, praying the same.

J. Machar and J. Mowatt

Mr. Shade, seconded by Mr. Chisholm, of *Halton*, moves that the petition of John Wetenhall and one hundred and eleven others be now read; and that the forty-first rule of this House be dispensed with for that purpose.

Which was carried, and the petition of John Wetenhall, and one hundred and eleven others, of the county of Halton, complaining of the grievous hardship of three districts being rendered liable for the repayment of the loan required for the construction of the Great Western Rail-road; and praying for the repeal of the act 7 Wm. IV., Chap. 62, which so binds them—was read.

J. Wetenhall and 111 others.

On motion of Mr. Shade, seconded by Mr. McCrae,

Ordered—That the petition of John Wetenhall and one hundred and eleven others, be referred to a select committee, to be composed of Messrs. Ruttan, Sherwood, Gowan and Chisholm of *Halton*, to report thereon by bill or otherwise.

Petition of J. Wetenhall and others referred.

Sel. com. on petition of
R. Baby present report

Mr. Thorburn, from the select committee to which was referred the petition of Raymond Baby, presented a report, which was received and read, as follows:

To the Honorable the Commons House of Assembly :

Report.

The Committee to whom was referred the petition of Raymond Baby, late Clerk in the Inspector General's Office, praying that a deficiency of £30 in his salary for the year 1835 may be made good to him, beg leave respectfully to report as follows:—

Your Committee having referred to the estimates for the public service for the said year, find that for the Inspector General's Office, £500 were required for two clerks;—that the resolutions of supply contemplated only £420 for that office, by which reduction, the petitioner states he was deficient in his usual salary £30, having before received £200.

Your Committee observe that the same circumstance happened, at the same time, with the Executive Council Office, by which Mr. James Stanton, a clerk in said office, suffered a like deficiency;—that in the third Session of the present Parliament, this deficiency was made up, by a vote in supply on the 1st March, 1838.

Your Committee therefore recommend the prayer of the petitioner to the favorable consideration of your Honorable House.

All which is respectfully submitted.

DAVID THORBURN,

CHAIRMAN.

Committee Room, House of Assembly, }
28th January, 1840. }

On motion of Mr. Thorburn, seconded by Mr. Shaver,

Ordered—That the report of the select committee on the petition of Raymond Baby, be referred to the committee of the whole on supply.

Report referred to committee of supply.

Mr. Thorburn, from the select committee to which was referred the petition of the President and Directors of the Port Hope Harbour and Wharf Company, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Sel. com. on petition of
President, &c. Port
Hope Harbor Company
report bill to increase
stock of said Company.

The report was received and the bill was read the first time.

Bill read.

Ordered—That the bill to increase the capital stock of the Port Hope Harbour Company be read a third time to-morrow.

2d reading to-morrow.

Mr. Ferrie, from the select committee to which was referred the petition of John Smith, presented, as a further report, the draft of a bill.

Sel. com. on petition of
J. Smith report macadamized
road damages
arbitration bill.
Bill read.

The report was received and the bill was read the first time.

Ordered—That the bill for the payment of damages consequent on the construction of macadamized roads, be read a second time to-morrow.

2d reading to-morrow.

Mr. Thomson, from the committee on roads and bridges to which was referred the petition of Michael Empey, and others, presented a fifth report, which was received and read, as follows:

Com. on roads and
bridges report on pet.
of M. Empey and others

To the Honorable the Commons House of Assembly :

Report.

The Committee on Roads and Bridges, to whom was referred the petition of Michael Empey, J. P., John Chrysler, J. P., and other inhabitants, of the Townships of Osnabruck and Williamsburgh, in the Eastern District, praying for aid in the construction of a bridge across a dangerous and deep ravine on the East half of Lot No. 34, 1st Concession, Township of Osnabruck, through which passes Dundas Street, or the Post Road, beg leave to report:—

That from the circumstance of this dangerous place being on the Post Road, upon which the mails pass and repass twice a day, and also being dangerous to the lives of Her Majesty's subjects, your Committee deem it expedient to recommend that an appropriation be made of the sum of one hundred pounds from the Provincial Revenues, to be met by an appropriation of fifty pounds from the funds of the Eastern District,—and do therefore submit for the adoption of your Honorable House the following resolution:—

“Resolved—That there be granted to Her Majesty the sum of _____ to enable Her Majesty to appropriate that sum for the erection of a bridge across the ravine on the East half of Lot No. 34, 1st Concession, Township of Osnabruck, to be met by an appropriation of pounds from the public funds of the Eastern District.”

All which is respectfully submitted.

E. W. THOMSON,
CHAIRMAN.

Committee Room, House of Assembly, }
28th January, 1840. }

On motion of Mr. McDonell, of Stormont, seconded by Mr. Thomson,

Ordered—That the report of the committee on roads and bridges, on the petition of Michael Empey and John Crysler, Justices of the Peace for the Eastern District, and other inhabitants of the townships of Osnabruck and Williamsburgh, in said district, be referred to a committee on supply.

Report referred to committee of supply.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled “An Act to prevent the circulation of printed promissory notes under the value of five shillings,” was read the second time.

Bill to prevent issue of small notes (L. C.) read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Cartwright in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

On the question for the receiving the report, the yeas and nays were taken as follows:

Division on receiving report.

Y E A S.

Messrs. Attorney General, Burrill, Cartwright, Chisholm of Glengarry, Gamble, Gowan, Hotham, Hunter, Kearnes, Malloch, Manahan, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, Morris, Murney, Salmon, Sherwood, Solicitor General, Thorburn, Woodruff—24.

Yeas—24.

N A Y S.

Messrs. Aikman, Bockus, Burwell, Caldwell, Chisholm of Halton, Cook, Duncombe, Mathewson, McCrae, Merritt, Parke, Ruttan, Rykert, Thomson—14.

Nays—14.

The question was carried in the affirmative, by a majority of ten, and the report was received.

Report received—majority 10.

Ordered—That the bill, as amended, be read a third time to-morrow.

3d reading to-morrow.

Mr. Joseph, Clerk of the Honorable the Legislative Council, brought down from that Honorable House a message, and the bill entitled “An Act to alter and amend an Act passed in the first year of Her Majesty’s reign, entitled ‘An Act to protect the inhabitants of this province against lawless aggressions from subjects of foreign countries at peace with Her Majesty,’” to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council.

Bill to protect from lawless aggressions, sent down amended.

The message was read as follows:

Message.

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, “An Act to extend the period for which the Magistrates of the District of Victoria are authorised to levy an additional rate in the said district, by an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, ‘An Act to authorise the erection of the county of Hastings into a separate district,’” without any amendment.

Victoria assessment bill (3d) passed Legislative Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Twenty-eighth day of January, 1840. }

Amendments to bill to protect from lawless aggressions read 1st time

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to alter and amend an act passed in the first year of Her Majesty's Reign, entitled 'An Act to protect the inhabitants of this Province against lawless aggressions from subjects of foreign countries at peace with Her Majesty,'" were read the first time, as follows :

Amendments.

Press 1, Line 9,—After the word "that" expunge the words "the first clause of."

" 1, " 16,—After the word "same" insert "for which any person convicted of such felony would, by the laws of this Province, be liable to suffer death."

" 2, " 2,—After the word "any" insert "such," and after the word "felony" insert "as aforesaid."

" 2, " 5,—After the word "any" insert "such," and after the word "felony" insert "as aforesaid."

" 2, " 6,—After the word "any" insert "such."

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Twenty fourth day of January, 1840. }

On the question for the second reading of the amendments to-morrow,

In amendment—Mr. Attorney General, seconded by Mr. Solicitor General, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to alter and amend an act passed in the first year of Her Majesty's reign entitled 'An Act to protect the inhabitants of this Province against lawless aggressions from subjects of foreign countries at peace with Her Majesty,'" be read a second time this day, and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Amendments read 2d and 3d times and passed

Which was carried, and the amendments were read the second time, concurred in, read the third time, and passed.

Messrs. Attorney General and Solicitor General were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Bill to continue currency act brought in.

Mr. Cartwright, seconded by Mr. Ferrie, moves for leave to bring in a bill to continue the currency act, and that the thirty-first rule of this House be dispensed with so far as relates to the same.

Bill read.

Which was granted, and the bill was read the first time.

On the question for the third reading of the bill to-morrow,

In amendment—Mr. Cartwright, seconded by Mr. Ferrie, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the 40th rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Boulton in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Norfolk and Haldimand wild land tax bill read 2d time and committed

Pursuant to the order of the day, the Norfolk and Haldimand wild land tax bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Thomson in the chair.

The House resumed.

- The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day, the bill to compel certain persons to perform statute labor was read the second time. Statute labor bill read 2d time and committed
- The House was put into a committee of the whole on the bill.
- Mr. Merritt in the chair.
- The House resumed.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day the bill for the relief of the aged and infirm was read the second time. Bill to relieve disabled and infirm read second time and committed.
- The House was put into a committee of the whole on the bill.
- Mr. Parke in the chair.
- The House resumed.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day, the bill to remunerate John Kidd, was read the second time. Bill to remunerate J. Kidd read second time and committed.
- The House was put into a committee of the whole on the bill.
- Mr. Morris in the chair.
- The House resumed.
- The chairman reported that the committee had agreed to the bill without amendment and submitted for the adoption of the House. Bill reported.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Pursuant to the order of the day, the address to His Excellency the Governor General, for a return of the number of suits in Chancery, was read the second time. Address for return of suits in Chancery read 2d time and committed
- The House was put into a committee of the whole on the address.
- Mr. Shaver in the chair.
- The House resumed.
- The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House. Address reported.
- The report was received.
- Ordered*—That the address be engrossed and read a third time to-morrow. 3d reading to-morrow.
- Mr. Burwell, seconded by Mr. Hotham, moves that the House do now go into a committee on supply in reference to the report of the select committee on the petition of John McDonell and Hamlet B. Mears, Esquires. Com. of supply on report on petition of McDonell and Mears.
- Which was carried, and the House was put into a committee of supply on the same.
- Mr. Gamble in the chair.
- At five of the clock, P. M., Mr. Speaker assumed the chair, and adjourned the House for one hour. Adjournment.

- House meets. The House met again, pursuant to adjournment.
- Committee resumes. The committee of supply on the report of the select committee on the petition of John McDonell and H. B. Mears, resumed.
Mr. Sherwood in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some progress, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Address in behalf of Baines and Thornhill read 2d time and committed. Pursuant to the order of the day, the address to His Excellency the Governor General, in behalf of Messrs. Baines and Thornhill, was read the second time.
The House was put into a committee of the whole on the address.
Mr. Chisholm, of *Hallon*, in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some progress in the address, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Com. of supply on report on petition of Baines and Thornhill. Mr. McKay, seconded by Mr. Ruttan, moves that the House do now resolve itself into a committee of the whole on the report of the select committee on the petition of Thomas Baines and R. H. Thornhill.
Which was carried, and the House was put into a committee of the whole on the same.
Mr. Boulton in the chair.
The House resumed.
- Progress reported—sit again to-morrow. The chairman reported that the committee had made some progress, and asked leave to sit again to-morrow.
The report was received, and leave granted accordingly.
- Beef and pork inspection bill read 2d time and committed. Pursuant to the order of the day, the bill to regulate the inspection of beef and pork was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Ruttan in the chair.
The House resumed.
- Bill reported. The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Bill to settle mill-dam damages by arbitration read second time and committed. Pursuant to the order of the day, the bill for the assessment of damages arising from the construction of mill-dams was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Thomson in the chair.
The House resumed.
- Bill reported. The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
Adjourned.

WEDNESDAY, 29th January, 1840.

The House met.

The minutes of yesterday were read.

The following petitions were severally brought up and laid on the table:—

Petitions brought up:

By Mr. Thomson, the petition of George Miller, and twenty others, of the township of Markham (York.)

G. Miller and 20 others

By Mr. Powell, the petition of Dugald C. McNab, and seventy-three others, of the township of McNab, in the District of Bathurst.

D. C. McNab and 73 others.

By Mr. Ruttan, the petition of Thomas Speer, and seventy-five others, of certain townships in the District of Newcastle; and the petition of Thomas Walker, and eighty-five others, of the same townships.

T. Speer and 75 others
T. Walker and 85 others

And by Mr. Small, the petition of R. Fairbairn, and sixty-one others, of the Home District and District of Newcastle.

R. Fairbairn and 61 others.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act to prevent the circulation of printed promissory notes under the value of five shillings," as amended by this House, was read the third time.

Bill to prevent issue of small notes (L. C.) read third time.

On the question for passing the bill, the yeas and nays were taken as follows:—

Division on passing.

YEAS.

Messrs. *Burritt, Cartwright, Chisholm of Glengarry, Elliott, Gamble, Gowan, Hotham, Kearnes, Malloch, Manahan, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, McMicking, Morris, Murney, Powell, Prince, Salmon, Shade, Sherwood, Thorburn, Wickens, Woodruff*—25.

Yeas—25.

NAYS.

Messrs. *Aikman, Burwell, Caldwell, Duncombe, Mathewson, McCrae, McDonell of Northumberland, Ruttan, Rykert, Thomson*—10.

Nays—10.

The question was carried in the affirmative by a majority of fifteen, and the bill was passed.

Passed—majority 15.

Messieurs Sherwood and Morris were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, to inform that Honorable House that this House had made some amendments thereto, and to request their concurrence to the same.

Pursuant to the order of the day, the bill to continue the currency act was read the third time.

Currency bill read third time.

On the question for passing the bill, the yeas and nays were taken as follows:

Division on passing.

YEAS.

Messrs. *Aikman, Burritt, Burwell, Caldwell, Cartwright, Elliott, Ferrie, Gamble, Gowan, Hotham, Kearnes, Malloch, Manahan, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Morris, Murney, Powell, Ruttan, Rykert, Salmon, Shade, Sherwood, Thorburn, Wickens, Woodruff*—31.

Yeas—31.

NAYS.

Messrs. *Chisholm of Glengarry, Duncombe, McDonell of Glengarry, McIntosh, Parke*—5.

Nays—5.

- Passed—majority 26. The question was carried in the affirmative by a majority of twenty-six, and the bill was passed.
- Title. Mr. Cartwright, seconded by Mr. Ferrie, moves that the bill be entitled "An Act to continue an Act passed in the sixth year of His late Majesty's reign, entitled 'An Act to repeal and amend certain Acts of this Province, in relation to the Gold and Silver Coin made current by law, and to make further provision respecting the rates at which gold and silver coins shall pass current in this Province.'"
- Bill sent to Leg. Council Which was carried, and Messieurs Cartwright and Ferrie were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Norfolk and Haldimand wild land tax bill read third time. Pursuant to the order of the day, the Norfolk and Haldimand wild land tax bill was read the third time.
- Division on passing. On the question for passing the bill, the yeas and nays were taken as follows:
- Y E A S.
- Yeas—23. Messrs. Aikman, Burwell, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Gowan, Manahan, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McIntosh, McKay, McMicking, Merritt, Morris, Parke, Ruttan, Rykert, Salmon, Shade, Thomson, Thorburn, Wickens, Woodruff—23.
- N A Y S.
- Nays—6. Messrs. Burritt, Cartwright, Gamble, Kearnes, Malloch, McLean—6.
- Passed—majority 22. The question was carried in the affirmative by a majority of twenty-two, and the bill was passed.
- Title. Mr. Merritt, seconded by Mr. Salmon, moves that the bill be entitled "An Act to tax the wild lands adjoining certain roads in the County of Haldimand, in the District of Niagara, and the County of Norfolk, in the District of Talbot, for a limited period, for the purpose of keeping said roads in repair."
- Bill sent to Leg. Council Which was carried, and Messieurs Merritt and Salmon were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Statute labor bill read third time. Pursuant to the order of the day, the bill to compel certain persons to perform statute labour was read the third time.
- On question for passing. On the question for passing the bill,
- Amendment moved. *In amendment*—Mr. Mathewson, seconded by Mr. McDonell of Glengarry, moves that the bill do not now pass, but that the following be added as a rider:—"And be it further enacted by the authority aforesaid, That all persons not actually residing in any town or township in this province for a less period than three months, shall be subject to the penalties of this act."
- Division on amendment On which the yeas and nays were taken, as follows:—
- Y E A S.
- Yeas—7. Messrs. Burritt, Manahan, Mathewson, McDonell of Glengarry, McIntosh, Parke, Sherwood—7.
- N A Y S.
- Nays—31. Messrs. Aikman, Bockus, Burwell, Caldwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Gamble, Gowan, Hotham, Kearnes, Malloch, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Merritt, Morris, Powell, Rykert, Salmon, Shade, Thomson, Thorburn, Wickens, Woodruff—31.

The question of amendment was decided in the negative, by a majority of twenty-four. Amendment lost—majority 24.

On the original question, the yeas and nays were as follows: Division on original question.

YEAS.

Messrs. *Aikman, Burwell, Caldwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Gamble, Gowan, Hotham, Kearnes, Malloch, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Powell, Rykert, Salmon, Shade, Sherwood, Thomson, Wickens, Woodruff*—27. Yeas—27.

NAYS.

Messrs. *Burritt, Manahan, Mathewson, McDonell of Glengarry, McMicking, Parke, Thorburn*—7. Nays—7.

The question was carried in the affirmative by a majority of twenty, and the bill was passed. Bill passed—majority 20.

Mr. Aikman, seconded by Mr. Kearnes, moves that the bill be entitled “An Act to compel certain persons, not assessed, to perform statute labour.” Title.

Which was carried, and Messieurs Aikman and Kearnes were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the bill for the relief of the disabled and infirm was read the third time. Bill to relieve disabled and infirm read 3d time

On the question for passing the bill, the yeas and nays were taken as follows :— Division on passing.

YEAS.

Messrs. *Aikman, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Elliott, Gowan, Hotham, Kearnes, Manahan, Mathewson, McCrae, McKay, McMicking, Merritt, Powell, Prince, Ruttan, Rykert, Thorburn, Wickens, Woodruff*—21. Yeas—21.

NAYS.

Messrs. *Burritt, Burwell, Caldwell, Duncombe, Ferrie, Gamble, Malloch, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Murney, Parke, Salmon, Shaver, Solicitor General*—17. Nays—17.

The question was carried in the affirmative, by a majority of four, and the bill was passed. Bill passed—majority 4

Mr. Merritt, seconded by Mr. Rykert, moves that the bill be entitled “An Act to enable the inhabitants in the different townships to raise a sum of money in each year to support disabled and infirm persons.” Title.

Which was carried, and Messieurs Merritt and Rykert were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the bill to remunerate John Kidd was read the third time. Kidd's remuneration bill read third time.

On the question for passing the bill, the yeas and nays were taken as follows: Division on passing.

YEAS.

Messrs. *Burwell, Cartwright, Duncombe, Elliott, Gamble, Hotham, Kearnes, Malloch, Manahan, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McLean, McMicking, Murney, Parke, Powell, Prince, Ruttan, Salmon, Solicitor General, Thorburn, Woodruff*—24. Yeas—24.

N A Y S .

- Nays—9. Messrs. *Aikman, Caldwell, Chisholm* of Glengarry, *Gowan, McCargar, McDonell* of Stormont, *Merritt, Ryker, Shaver*—9.
- Bill passed—majority 15. The question was carried in the affirmative by a majority of fifteen, and the bill was passed.
- Title. Mr. Gamble, seconded by Mr. Ruttan, moves that the bill be entitled "An Act to remunerate John Kidd for certain services."
- Bill sent to Leg. Council Which was carried, and Messieurs Gamble and Ruttan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Address for return of suits in Chancery read third time and passed. Pursuant to the order of the day, the address to His Excellency the Governor General, for a return of the number of suits in Chancery, &c., was read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

- Address. We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, a statement of the number of suits brought in the Court of Chancery since its commencement, shewing the progressive increase of such suits in each year, the number of suits actually adjudicated upon, together with the costs taxed and allowed on each suit, and also the amount of fees paid to the Registrar on each suit, and also a return of the emoluments of the Office of Registrar of the said Court, for the last twelve months.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
 Twenty-ninth day of January, 1840. }

Messrs. Thorburn and Prince were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

- Beef and Pork inspection bill read third time and passed. Pursuant to the order of the day, the bill to regulate the inspection of beef and pork was read the third time and passed.

Title. Mr. Powell, seconded by Mr. Hotham, moves that the bill be entitled "An Act to alter and amend an act passed in the forty-fifth year of the reign of His late Majesty King George the Third, entitled, 'An Act to regulate the packing, curing, and inspection of Beef and Pork.'"

- Bill sent to Leg. Council Which was carried, and Messieurs Powell and Hotham, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mill-dam damages arbitration bill read 3d time Pursuant to the order of the day, the bill for the assessment of damages consequent on the construction of mill-dams was read the third time.

- Division on passing. On the question for passing the bill, the yeas and nays were taken as follows :

Y E A S .

- Yeas—26. Messrs. *Aikman, Boulton, Burrill, Cartwright, Chisholm* of Halton, *Chisholm* of Glengarry, *Elliott, Ferris, Hotham, Kearnes, Manahan, Mathewson, McCrae, McDonell* of Glengarry, *McLean, McDicking, Morris, Parks, Powell, Prince, Shade, Shaver, Sherwood, Thorburn, Wickens, Woodruff*—26.

N A Y S.

Messrs. *Attorney General, Burwell, Caldwell, Duncombe, Gamble, Malloch, McDonell* of Stormont, *McIntosh, Murney, Ruttan, Rykert, Salmon, Small, Solicitor General, Thomson*—15. Nays—15.

The question was carried in the affirmative by a majority of eleven, and the bill was passed. Bill passed—majority 11.

Mr. Sherwood, seconded by Mr. Hotham, moves that the bill be entitled "An Act to settle by a more easy and less expensive mode, than now, by law, exists, the damages which have been or may hereafter be sustained by the proprietors of land overflowed by means of the erection of mill dams." Title.

Which was carried, and Messieurs Sherwood and Hotham, were ordered by the Speaker, to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the following petitions were read : *Petitions read :*

Of the trustees for macadamizing the Kingston and Napanee Road, praying for certain amendments to be made in the Act authorising the improvement of said road. Trustees of Kingston and Napanee road.

Of David Elder, of the City of Toronto, praying remuneration for the loss of his horse in Her Majesty's service. David Elder.

Of Philip de Grassi, Esq., of the township of York, in the Home District, praying to be re-imbursed a sum of money expended by him in improving a certain road. P. De Grassi.

And of Joseph Randal, of the town of Chatham, praying for a pension, on account of the loss of an arm in Her Majesty's service. J. Randal.

On motion of Mr. McKay, seconded by Mr. Shade,

Ordered—That the report of the select committee on the petition of Thomas Baines and R. H. Thornhill be referred back to the same committee, with power to report thereon. Report on petition of Baines and Thornhill referred back to com.

On motion of Mr. Solicitor General, seconded by Mr. Malloch,

Ordered—That the petition of William Chisholm, Esquire, be referred to a select committee to consist of Messieurs McKay and Thorburn, with power to send for persons and papers, and to report thereon by bill or otherwise. *Petitions referred :*
Of W. Chisholm—(Oakville Harbor) to select committee.

On motion of Mr. Ruttan, seconded by Mr. Gamble,

Ordered—That the petition of Francis Dixon be referred to a select committee, to be composed of Messieurs Boulton and McDonell of *Northumberland*, to report thereon. Of F. Dixon to sel. com.

On motion of Mr. Sherwood, seconded by Mr. Thomson,

Ordered—That the petition of William Kingsmill be referred to a select committee, consisting of Messieurs McKay and Thorburn, with power to report thereon by bill or otherwise. Of W. Kingsmill to select committee.

On motion of Mr. Small, seconded by Mr. Manahan,

Ordered—That the petition of Philip DeGrassi be referred to the committee of the whole on supply. Of P. DeGrassi to com. of supply.

On motion of Mr. Small, seconded by Mr. Manahan,

Ordered—That the petition of David Elder be referred to the committee of the whole on supply. Of David Elder to com. of supply.

On motion of Mr. Burwell, seconded by Mr. Hotham,

Ordered—That the report of the select committee on the petition of John Macdonell and Humlet B. Mears, be referred back to the same committee. Report on petition of McDonell and Mears referred back to com.

Mr. Burwell gives notice that he will, on to-morrow, move that it be *Resolved*, That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House, if the draft of a bill, to be submitted to the Imperial Parliament, for uniting the Provinces of Upper and Lower Canada, has been transmitted by His Excellency to Her Majesty's Ministers; and, if such be the fact, that His Excellency will be pleased to lay a copy of such draft of a bill before this House; and humbly assuring His Excellency, that this House disclaim any desire to embarrass His Excellency's administration of the Government of the

Colonies, but having been consulted, by order of our most gracious Sovereign, on the subject of the proposed union of Upper and Lower Canada, they feel it a duty they owe to the people they represent, as well as to Her Majesty's Government, to ascertain, if possible, the precise terms on which the proposed act of Union is to be submitted to Parliament by Her Majesty's Ministers.

Of bill to sell old roads.

Mr. Rykert gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the conveyance of old roads in lieu of new ones in certain cases, under certain restrictions.

Of bill to relieve Receiver General from certain responsibility.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to relieve the Receiver General from responsibility to certain public claimants.

Sel. com. on petition of L. Hilliard, report Hilliard's naturalization bill.

Mr. Thorburn, from the select committee to which was referred the petition of Lanson Hilliard, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received, and the bill was read the first time.

2d reading to-morrow.

Ordered—That the bill to naturalize L. Hilliard be read a second time to-morrow.

Sel. com. on answer to address on Chelsea Pensioners report address to Her Majesty on Chelsea Pensioners.

Mr. Boulton, from the select committee to which was referred the answer of His Excellency the Governor General to the address of this House for information respecting the joint address to Her Majesty, on the subject of certain commuted Chelsea Pensioners, reported the draft of an address to Her Majesty.

Address read.

The report was received, and the address was read the first time.

2d reading to-morrow.

Ordered—That the address to Her Majesty, in behalf of certain Chelsea Pensioners, be read a second time to-morrow.

Sel. com. on petition of G. T. Denison and others, report Western road bill.

Mr. Small, from the select committee to which was referred the petition of G. T. Denison and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Bill read.

The report was received and the bill was read the first time.

2d reading to-morrow.

Ordered—That the Weston road improvement bill be read a second time to-morrow.

Sel. com. on petition of Baines and Thornhill present further report.

Mr. McKay, from the select committee to which was referred the petition of Messrs. Baines and Thornhill, presented a further report, which was received and read.

Report—(See Appendix.)

Com. of whole on registry bill.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Registry bill.

Mr. Wickens in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Bill to grant land for fortifications brought in.

Pursuant to notice, Mr. Attorney General, seconded by Mr. Murney, moves for leave to bring in a bill to authorise the Government to take possession of lands for the purpose of erecting fortifications and public defences in this province.

Bill read.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Attorney General, seconded by Mr. Murney, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time. Bill read second time and committed.
 The House was put into a committee of the whole on the bill.
 Mr. Prince in the chair.
 The House resumed.
 The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported.
 The report was received.
Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
 Pursuant to the order of the day, the bill to complete the Chatham bridge was read the second time. Chatham bridge completion bill read second time and committed.
 The House was put into a committee of the whole on the bill.
 Mr. McCargar in the chair.
 The House resumed.
 The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.
 The report was received.
Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
 Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the act regulating standard measures. Standard measure bill again committed.
 Mr. Manahan in the chair.
 The House resumed.
 The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.
 The report was received.
Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.
 Pursuant to the order of the day, the bill to indemnify persons for the destruction of their property by incendiaries was read the second time. Bill to indemnify sufferers by incendiarism read second time and committed.
 The House was put into a committee of the whole on the bill.
 Mr. Duncombe in the chair.
 At five of the clock P. M., Mr. Speaker resumed the chair, and adjourned the House for one hour. Adjournment.
 The House met again, pursuant to adjournment. House meets.
 The committee of the whole on the bill to indemnify persons for the destruction of their property by incendiaries, resumed. Committee resumes.
 Mr. Morris in the chair.
 The House resumed.
 The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.
 The report was received, and leave granted accordingly.
 Mr. Bockus, from the committee on Finance, presented a first report, and the drafts of three bills and an address to His Excellency the Governor General, which were received. Cum. on finance present report, three bills and address.
 The report was read.

Report—(See Appendix.)

The bill to provide for the repayment of the loan in England was read the first time. Bill to repay loan in England read first time.

2d reading to-morrow.

Ordered—That the bill be read a second time to-morrow.

Collectors and Inspectors' regulation bill read first time.

The bill to amend the law respecting Collectors and Inspectors, was read the first time.

2d reading to-morrow.

Ordered—That the bill be read a second time to-morrow.

Salt weight bill read first time.

The bill to regulate the weight of salt was read the first time.

2d reading to-morrow.

Ordered—That the bill be read a second time to-morrow.

Address to Gov. General to send Receiver Genl to England read 1st time

The address to His Excellency the Governor General to authorize the Receiver General of this Province to proceed to England, was read the first time.

2d reading to-morrow.

Ordered—That the address be read a second time to-morrow.

On motion of Mr. Small, seconded by Mr. Boulton,

500 copies of finance report to be printed.

Ordered—That five hundred copies of the report of the Finance Committee be printed for the use of members, with marginal notes.

On motion of Mr. Bockus, seconded by Mr. Robinson,

Report referred to supply on Friday, 1st item.

Ordered—That the report of the committee on Finance, be referred to a committee of the whole on supply on Friday next, and that it be the first item on the order of the day for that day, after receiving reports.

Macadamized road damages bill read 2d time and committed.

Pursuant to the order of the day, the bill to provide for the payment of damages consequent on the construction of Macadamized Roads, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Small in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report.

On the question for the receiving the report, the yeas and nays were taken as follows:

YEAS.

Yeas—13.

Messrs. *Boulton, Burrill, Caldwell, Cartwright, Chisholm of Glengarry, Cook, Gamble, Malloch, Mathewson, McCargar, McIntosh, McLean, Morris, Shade, Shaver, Small, Solicitor General, Thomson*—13.

NAYS.

Nays—9.

Messrs. *Aikman, Chisholm of Halton, Ferrie, Kearnes, McDonell of Stormont, Parke, Richardson, Sherwood, Thorburn*—9.

Report received—majority 9.

The question was carried in the affirmative, by a majority of nine, and the report was received.

Port Hope Harbor stock increase bill read 2d time and committed

Pursuant to the order of the day, the bill to increase the capital stock of the Port Hope Harbor Company was read the second time.

The House was put into a committee of the whole on the bill.

Mr. McLean in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Adjourned.

THURSDAY, 30th January, 1840.

The House met.

The minutes of yesterday were read.

The following petitions were severally brought up and laid on the table:—

Petitions brought up:

By Mr. Boulton, the petition of James Mitchell.

Jas. Mitchell.

By Mr. Rykert, the petition of James Gilleland, and fifty-one others, of the District of Niagara.

J. Gilleland and 51 others.

By Mr. Prince, the petition of Robert Reynolds, J. P., and two hundred and sixty-four others, of the County of Essex.

R. Reynolds and 264 others.

And by Mr. Salmon, the petition of William Wilson, and one hundred and fifty-one others, of the District of Talbot.

W. Wilson and 151 others.

Pursuant to the order of the day, the Registry bill was read the third time.

Registry bill read third time.

On the question for passing the bill,

On question for passing.

In amendment—Mr. Cartwright, seconded by Mr. Manahan, moves that the Registry bill do not now pass, but that it be amended by adding the following clause:—“*And be it further enacted by the authority aforesaid, That nothing in this act contained shall be construed to make void the appointment of any person who, previous to the passing of this act, may hold the situation of Registrar for more than one county, and who shall have an office in each county for which he is Registrar.*”

Amendment moved.

On which the yeas and nays were taken, as follows:—

Division on amendment

YEAS.

Messrs. *Attorney General, Burrill, Cartwright, Gamble, Gowan, Kearnes, Malloch, Manahan, Mathewson, McDonell* of Northumberland, *McLean, Richardson, Ruttan, Wickens*—14.

Yeas—14.

NAYS.

Messrs. *Aikman, Bockus, Boulton, Chisholm* of Glengarry, *Cook, Duncombe, Dunlop, Ferrie, Hunter, McCrae, McDonell* of Glengarry, *McDonell* of Stormont, *McIntosh, McKay, Merritt, Morris, Parke, Powell, Prince, Robinson, Rykert, Salmon, Shaver, Small, Thomson, Woodruff*—26.

Nays—26.

The question of amendment was decided in the negative, by a majority of twelve.

Amendment lost—majority 12.

On the original question, the yeas and nays were as follows:

Division on original question.

YEAS.

Messrs. *Bockus, Boulton, Chisholm* of Glengarry, *Duncombe, Elliott, Ferrie, Hunter, Malloch, McCargar, McCrae, McKay, Merritt, Morris, Parke, Prince, Robinson, Rykert, Salmon, Shaver, Sherwood, Small, Thomson, Thorburn, Wickens, Woodruff*—25.

Yeas—25.

NAYS.

Messrs. *Aikman, Attorney General, Cartwright, Cook, Gamble, Gowan, Kearnes, Manahan, Mathewson, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McLean, Powell, Richardson, Ruttan*—17.

Nays—17.

The question was carried in the affirmative by a majority of eight, and the bill was passed.

Bill passed—majority 8

- Title. Mr. Sherwood, seconded by Mr. Boulton, moves that the bill be entitled "An Act to repeal, amend, and consolidate, the Registry Laws of this Province."
- Bill sent to Leg. Council Which was carried, and Messieurs Sherwood and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill to grant lands for fortification read third time. Pursuant to the order of the day, the bill to authorise Her Majesty to take possession of lands for the purposes of fortification was read the third time.
- Division on passing. On the question for passing the bill, the yeas and nays were taken as follows:
- Y E A S.
- Yeas—33. Messrs. *Aikman, Attorney General, Bockus, Boulton, Cartwright, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Manahan, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Salmon, Sherwood, Small, Thomson, Wickens, Woodruff*—33.
- N A Y S.
- Nays—6. Messrs. *Cook, Malloch, McDonell of Stormont, Morris, Parke, Thorburn*—6.
- Bill passed—majority 27. The question was carried in the affirmative by a majority of twenty-seven, and the bill was passed.
- Title. Mr. Attorney General, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to authorise Her Majesty to take possession of lands for the erection of fortifications in this province under certain restrictions."
- Bill sent to Leg. Council Which was carried, and Messieurs Attorney General and Cartwright were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Chatham bridge completion bill read third time and passed. Pursuant to the order of the day, the bill to complete the Chatham bridge was read the third time, and passed.
- Title. Mr. Prince, seconded by Mr. McCrae, moves that the bill be entitled, "An Act granting a further sum of three hundred and fifty-nine pounds, for completing the bridge over the River Thames, at Chatham, in the Western District."
- Bill sent to Leg. Council Which was carried, and Messieurs Prince and McCrae were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Standard measure bill read 3d time and passed. Pursuant to the order of the day, the bill to amend the law regulating the standard weights and measures was read the third time, and passed.
- Title. Mr. Aikman, seconded by Mr. Ferrie, moves that the bill be entitled, "An Act to alter and amend an Act passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled, 'An Act to establish the Winchester measure throughout this Province.'"
- Bill sent to Leg. Council Which was carried, and Messieurs Aikman and Ferrie were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Port Hope Harbor stock increase bill read third time and passed. Pursuant to the order of the day, the bill to increase the capital stock of the Port Hope Harbor Company was read the third time and passed.
- Title. Mr. Boulton, seconded by Mr. Thorburn, moves that the bill be entitled, "An Act to increase the capital stock of the Port Hope Harbor Company, and to extend the period for completing the said harbor."
- Bill sent to Leg. Council Which was carried, and Messieurs Boulton and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Prince, seconded by Mr. Woodruff, moves that the petition of Robert Reynolds, Esquire, and others, be now read; and that the forty-first rule of this House be dispensed with, for that purpose.

Which was carried, and the petition of Robert Reynolds, J. P., and two hundred and sixty-four others, of the County of Essex, praying that articles essential for the promotion of agriculture may be admitted free of duty, and a higher duty imposed on foreign produce, was read.

Petition of R. Reynolds and 264 others read.

On motion of Mr. Prince, seconded by Mr. Caldwell,

Ordered—That the petition of Robert Reynolds, Esquire, and two hundred and sixty-four others, be referred to a select committee, to consist of Messieurs Boulton, Chisholm, of *Halton*, and Ruttan, with power to report thereon by bill.

Petitions referred:
Of R. Reynolds and 264 others.

On motion of Mr. McKay, seconded by Mr. Merritt,

Ordered—That the petition of Nichol H. Baird be referred to a select committee, to be composed of Messieurs Ruttan and Thorburn, with power to report thereon.

Of N. H. Baird.

Mr. Sherwood gives notice that he will, on to-morrow, move for leave to bring in a bill to revive the act entitled, "An Act to afford means for attaching the property of absconding debtors."

Notices:
Of bill to attach property of absconding debtors

Mr. Prince gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to direct that a temporary asylum may be provided for the reception of lunatics, until a provincial asylum be erected according to the statute.

Of address to Governor General on temporary building for a Lunatic Asylum.

Mr. Small, from the select committee to which was referred the petition of the Magistrates of the Home District in General Quarter Sessions assembled, presented a report, which was received and read, as follows:—

Sel. com. on petition of Magistrates of Home District present report.

To the Honorable the Commons House of Assembly:

The Committee, to whom was referred the petition of the Magistrates of the Home District, praying that a law may be passed, authorising the levying and collecting an additional rate of one penny per pound on all ratable property within the county of York, to complete the new Jail and Court House for the Home District, respectfully report:—

Report.

That they have examined the accounts submitted by the petitioners, and find that, under the authority of an Act of the Provincial Legislature, passed the 4th March, 1837, for that purpose, the Justices in Quarter Sessions assembled, authorised the erection of a new Jail and Court House in the city of Toronto, for the use of the Home District. That in order to provide means for erecting the said buildings, they have laid out the present Jail and Court House block into building lots, but owing to the extraordinary pressure of the times, they have been unable to dispose of a sufficient number of said lots to meet the expenses incurred, and to be incurred, in completing the buildings now in progress of erection, as a new Jail and Court House, for the said district.

That the sum of £9,766 8s. 10d. has been already expended in erecting the centre and west wing of the Jail, and half the south wing, and that the sum of £5,000 will be required to complete the said wing and enclose the premises in such a manner as to make them serviceable, and that unless they are enabled to borrow this latter sum, the work must be stopped.

Your Committee, therefore, respectfully recommend that a law be passed, authorising an additional half-penny in the pound to be levied upon all ratable property in the Home District, for six years, to be applied in paying the principal and interest of a loan of £5,000, to be raised by the said Justices, for the purpose of completing the said Jail.

All which is respectfully submitted.

JAMES E. SMALL,

CHAIRMAN.

Committee Room, House of Assembly, }
30th January, 1840.

Mr. Small, seconded by Mr. McDonell of *Stormont*, moves that the report of the select committee upon the petition of the Magistrates of the Home District be referred to a committee of the whole House on supply, forthwith.

Which was carried, and the House was put into a committee of supply on the same.

Mr. Boulton in the chair.

Report referred to supply forthwith.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report.

On the question for receiving the report the yeas and nays were taken as follows:—

Y E A S .

Yeas—35.

Messrs. *Attorney General, Bockus, Boulton, Burrill, Burwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Gamble, Gowan, Hotham, Hunter, Kearnes, Malloch, McCargar, McCrae, McIntosh, McKay, McMicking, Morris, Murney, Parke, Powell, Prince, Robinson, Ruttan, Salmon, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff*—35.

N A Y S .

Nays—3.

Messrs. *Elliott, Manahan, McDonell of Glengarry, McDonell of Stormont, Richardson, Sherwood, Small, Solicitor General*—3.

Report received—majority 27.

The question was carried in the affirmative, by a majority of twenty-seven, and the report was received.

Sel. com. on Macadamized road reports, present report.

Mr. Gamble, from the select committee to which were referred the several reports of trustees of Macadamized Roads, presented a report, which was received and read.

Report—(See Appendix.)

On motion of Mr. Shade, seconded by Mr. Chisholm of *Halton*,

200 copies of report to be printed.

Ordered—That two hundred copies of the report of the select committee on Macadamized roads be printed for the use of members.

Sel. com. on petition of J. Wetenhall present report, and bill to amend Great Western rail road act.

Mr. Sherwood, from the select committee to whom was referred the petition of John Wetenhall and others, presented a report and the draft of a bill, which were received.

The report was read as follows:

To the Honorable the Commons House of Assembly :

Report.

The Select Committee, to whom was referred the petition of John Wetenhall, and one hundred and eleven others, beg leave to report the accompanying bill.

All which is respectfully submitted.

H. SHERWOOD,
CHAIRMAN.

Committee Room, House of Assembly, }
30th January, 1840.

Bill read.

The bill was read the first time.

2d reading to-morrow.

Ordered—That the bill to amend the Great Western Rail-road act be read a second time to-morrow.

Sel. com. on report on improvement of Trent, and on petitions of R. Barclay & Co., Francis & Hay, and A. H. Meyers & Co., present report and 2 addresses.

Mr. Ruttan, from the select committee to which were referred the Report of commissioners on improvement of the River Trent, and the several petitions of R. Barclay & Co., Messrs. Francis & Hay, and A. H. Meyers and others, contractors on the same, presented a report and the drafts of two addresses which were received.

The report was read.

Report—(See Appendix.)

The address to His Excellency the Governor General for a further advance on the section of the River Trent at Chisholm's rapids, was read the first time.

Address to Governor General on Chisholm's rapids read first time. 2d reading to-morrow.

Ordered—That the address be read a second time to-morrow.

The address to His Excellency the Governor General for a further advance on the two lower sections of the Trent, was read the first time.

Address to Governor General on lower section of Trent read first time. 2d reading to-morrow.

Ordered—That the address be read a second time to-morrow.

On motion of Mr. Ruttan, seconded by Mr. McKay,

Ordered—That the report of the select committee on the state of the public works at the River Trent do lie on the table, and that two hundred copies be printed for the use of members.

200 copies of report to be printed.

On motion of Mr. Morris, seconded by Mr. Cartwright,

Ordered—That the order of this House of the 23d instant relative to the hour at which the Speaker shall take the chair, be rescinded after this day.

Order of House respecting adjournment rescinded.

Mr. Merritt, from the select committee to which was referred the report of the commissioners for improving the River St. Lawrence, presented a report, which was received and read.

Sel. com. on report of St. Lawrence Commissioners present report.

Report—(See Appendix.)

Mr. Merritt, seconded by Mr. McDonell, of *Glengarry*, moves that the report of the committee on the St. Lawrence Navigation, be referred to a committee of the whole House, forthwith.

Report referred to com. of whole forthwith.

Which was carried, and the House was put into a committee of the whole on the same.

Mr. Salmon in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

At five of the clock, P. M., Mr. Speaker resumed the chair, and adjourned the House for one hour.

Adjournment.

The House met again, pursuant to adjournment.

House meets.

The committee of the whole on the report of the select committee respecting the improvement of the River St. Lawrence, resumed.

Committee resumes.

Mr. Salmon in the chair.

The House resumed.

The chairman reported that the committee had adopted the report, and submitted it for the adoption of the House.

Report adopted.

On the question for receiving the report, the yeas and nays were taken, as follows:

Division on receiving report.

Y E A S .

Messrs. Aikman, Bockus, Caldwell, Chisholm of Halton, Cook, Ferrie, Gamble, McDonell of Glengarry, McDonell of Stormont, McLean, Merritt, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Thorburn, Wickens—19.

Yeas—19.

N A Y S .

Messrs. Attorney General, Boulton, Burritt, Mulloch, Mathewson, McIntosh, McKay, Parke, Ruttan, Solicitor General—10.

Nays—10.

The question was carried in the affirmative by a majority of nine, and the report was received.

Report received—majority 9.

On motion of Mr Merritt, seconded by Mr. Gowan,

Ordered—That two hundred copies of the report of the committee adopted by this House, on the subject of the St. Lawrence navigation, together with the report of the commissioners and engineer, be printed for the use of the members.

Mr. Speaker reported that the Clerk to the Honorable the Legislative Council had brought down from that Honorable House, two messages, and a bill entitled, "An Act to authorise stockholders in the chartered banks to vote by proxy, when temporarily absent from this province, or non-resident therein," which that Honorable House had passed; and also the bill entitled, "An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the City of Toronto,''" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The messages were read as follows :

MR. SPEAKER:

The Legislative Council have acceded to the amendments made by the Commons House of Assembly in and to the bill sent down from this House, entitled, "An Act to prevent the circulation of printed promissory notes under the value of five shillings;" and the Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to continue an Act passed in the sixth year of His Majesty's reign, entitled, 'An Act to repeal and amend certain Acts of this Province, in relation to the gold and silver coin made current by law, and to make further provision respecting the rates at which certain gold and silver coins shall pass current in this Province,'" without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Twenty-ninth day of January, 1840. }

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province," without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Thirtieth day of January, 1840. }

The bill sent down by the Honorable the Legislative Council, entitled, "An Act to authorize stockholders in the chartered banks to vote by proxy, when temporarily absent from this province, or non-resident therein," was read the first time.

Ordered—That the bill be read a second time to-morrow.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, "An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the City of Toronto,'" were read the first time, as follows:

Line 1, — After "Whereas" expunge the remainder of the preamble, and insert, "it is expedient that an Act, passed in the seventh year of the reign of His late Majesty, entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the town of York, to erect the said town into a city, and incorporate it under the name of the City of Toronto,'" be continued for a limited period, with certain amendments."

200 copies of report to be printed.

Speaker reports messages from Leg. Council
Bank stockholders' proxy bill sent down for concurrence.
Bill to amend Toronto Incorporation Act sent down amended.

Messages.

Amendments to bill to prevent issue of small notes acceded to.

Bill to continue currency act passed Leg. Council

Bill to indemnify sufferers by rebellion passed Leg. Council.

Bank stockholders proxy bill read first time

2d reading to-morrow.

Amendments to Toronto incorporation amendment bill read first time

Amendments.

Line 13,—After “That” expunge the remainder of the bill, and insert, “the thirty-third and thirty-fifth clauses of the said Act be, and the same are hereby repealed, and that the said Act, with the exception of the said clauses, together with the present Act, to be continued and remain in force for three years, and from thence to the end of the then next ensuing Session of Parliament and no longer; *Provided always*, that nothing in this Act contained shall be held or construed to extend to prevent any Alderman or Common Councilman, of the said city, now elected, from holding his office in the said Corporation until the first Monday in February, which will be in the year of our Lord one thousand eight hundred and forty-one.

“*And be it further enacted by the authority aforesaid*, That Her Majesty’s Executive Councillors, in and for this Province, being Justices of the Peace in and for the Home District, shall and may exercise jurisdiction over offences committed within the said city of Toronto, as such Justices, any thing in the said Act, entitled, ‘An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the City of Toronto,’ to the contrary thereof notwithstanding.”

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Thirtieth day of January, 1840. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to-morrow

Mr. Mathewson, seconded by Mr. Aikman, moves that two hundred copies of the report of the Inspectors and Warden of the Provincial Penitentiary, with the accompanying documents, be printed, in pamphlet form, for the use of members.

Motion to print 200 copies of Penitentiary reports.

On which the House divided, and the question was lost.

Lost.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled “An Act to alter and amend the act passed during the third session of the present Parliament, entitled ‘An Act to authorize the establishment of Boards of Boundary Line Commissioners within the several districts of this Province,’ ” were read the second time.

Amendments to Boundary Commissioners’ bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Morris in the chair.

The House resumed.

The chairman reported that the committee had amended the amendments, and submitted them for the adoption of the House.

Amendments amended.

The report was received.

Ordered—That the amendments, as amended, be read a third time to-morrow.

3d reading to-morrow.

The House then adjourned until ten of the clock, A. M., to-morrow.

FRIDAY, 31st January, 1840.

The House met, pursuant to adjournment.

The minutes of yesterday were read.

The following petitions were severally brought up and laid on the table:—

By Mr. Boulton, the petition of George Manners, President of the Agricultural Society, and eighty-seven others of the County of Northumberland.

Petitions brought up:

G. Manners and 87 others.

J. Stringer and 18 others.
J. Martin and 35 others

A. D. Fordyce and 62 others.

W. Chisholm, Esquire, Collector.

Amendments to Boundary Commissioners bill read 3d time and passed (as amended).

By Mr. Chisholm of *Halton*, the petition of James Stringer, and eighteen others, of the townships of Esquesing, Erin, Caledon, and Chinguacousy in the district of Gore; and the petition of John Martin and thirty five others.

By Mr. Shade, the petition of A. Dingwall Fordyce, J. P., and sixty-two others, of Fergus, in the district of Gore.

And by Mr. Sherwood, the petition of William Chisholm, Esquire, Collector of Customs at Oakville.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to alter and amend the act passed during the third Session of the present Parliament, entitled 'An Act to authorize the establishment of Boards of Boundary Line Commissioners within the several districts of this Province,'" as amended by this House, were read the third time and passed.

Messrs. Rykert and Bockus were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, to inform that Honorable House that this House had agreed to their amendments, with some amendments, and to request their concurrence to the same.

Petitions read :

G. Miller and 20 others

Pursuant to the order of the day, the following petitions were read :

Of George Miller and twenty others, of the township of Markham, (York,) praying aid for a road.

D. C. McNab and 73 others.

Of Dugald C. McNab, and seventy-three others, of the township of McNab, in the district of Bathurst, praying for aid to improve the approaches to a certain bridge.

T. Speer and 75 others

Of Thomas Speer, and seventy-five others, of certain townships in the District of Newcastle, praying for a grant of five hundred pounds to improve a certain road.

T. Walker and 85 others

Of Thomas Walker, and eighty-five others, of certain townships in the District of Newcastle, praying the same.

R. Fairbairn and 61 others.

And of R. Fairbairn, and sixty-one others, of the Home District and District of Newcastle, praying for aid to improve a certain road.

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of William Chisholm, Esquire, be now read, and that the forty-first rule of this House be dispensed with so far as it relates to the same.

Of W. Chisholm, Collector.

Which was carried, and the petition of William Chisholm, Esquire, Collector of Customs, at Oakville, stating that in consequence of himself and his deputy having been absent on militia duty, his returns were not made within the required time, wherefore his fees were disallowed, and praying that the usual fees may be granted to him, was read.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the petition of William Chisholm, Esquire, be referred to a select committee, consisting of Messieurs Thorburn and McKay, with power to report thereon.

Petitions referred :
Of W. Chisholm, Collector, to sel. com.

On motion of Mr. Prince, seconded by Mr. Caldwell,

Ordered—That the petition of Joseph Randall be referred to a select committee, consisting of Messieurs McCrae and Wickens, to report thereon.

Of J. Randall, to select committee.

On motion of Mr. Small, seconded by Mr. Manahan,

Ordered—That the petition of R. Fairbairn, and others, be referred to the committee of the whole on supply.

Of R. Fairbairn, to com. of supply.

On motion of Mr. Powell, seconded by Mr. Hotham,

Ordered—That the petition of Dugald C. McNab, and others, be referred to the committee on roads and bridges.

Of D. C. McNab and others, to com. on roads and bridges.

Sel. com. on petition of R. Reynolds and others, present report.

Mr. Boulton, from the select committee to which was referred the petition of Robert Reynolds, and others, presented a report, which was received and read, as follows:

To the Honorable the Commons House of Assembly :

The Committee, to whom was referred the petition of Robert Reynolds, and others, praying that a duty may be imposed upon foreign produce, beg leave to report;—

That your committee consider that a like duty should be imposed upon wheat, flour, pork, and beef, imported into this Province from the United States, as is now imposed upon the like articles imported into the United States from this Province, and recommend that a bill should be introduced for that purpose.

All which is respectfully submitted.

G. S. BOULTON,
CHAIRMAN.

Committee Room, House of Assembly, }
30th January, 1840. }

On motion of Mr. Boulton, seconded by Mr. Chisholm of Hulton,

Ordered—That the report of the select committee on the petition of Robert Reynolds, and others, be referred to a committee of the whole on supply.

Report on petition of R. Reynolds and others, referred to supply.

Pursuant to the order of the day, the House was put into a committee of supply on the report of the committee on finance.

Committee of supply on finance report.

Mr. Wickens in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Message.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had made some progress, and asked leave to sit again to-morrow.

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

On motion of Mr. Bockus, seconded by Mr. Gamble,

Ordered—That the committee on supply on the report of the finance committee be the first item on the order of the day on to-morrow, after receiving reports.

Com. of supply on report to be first item to-morrow.

Mr. Speaker reported that the Clerk of the Honorable the Legislative Council had brought down from that Honorable House a message, and a bill entitled, "An Act to authorise the construction of a mill dam across the River Thames," which that Honorable House had passed; and the bill entitled, "An Act to repeal so much of the first clause of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein mentioned,' as may enable Her Majesty to make a grant of land to James FitzGibbon, Esquire," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Speaker reports Message from Leg. Council. Thame's mill-dam bill sent down for concurrence. Bill to grant land to Col. FitzGibbon sent down amended.

The message was read as follows :

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act authorising the payment of pensions to Militiamen and Widows of deceased Militiamen, under certain restrictions, and for other purposes therein mentioned;" and also the bill, entitled, "An Act to remunerate John Kidd, for certain services," without any amendment.

Militia Pension bill, and Kidd's remuneration bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Thirty-first day of January, 1840. }

Thames mill-dam bill
(L. C.) read first time.

The bill sent down from the Honorable the Legislative Council, entitled, "An Act to authorise the construction of a mill dam across the River Thames," was read the first time.

2d reading to-morrow.

Ordered—That the bill be read a second time to-morrow.

Amendments to bill to
grant land to Col. Fitz-
Gibbon read first time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to repeal so much of the first clause of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein mentioned,' as may enable Her Majesty to make a grant of land to James FitzGibbon, Esquire," were read the first time, as follows:

IN THE TITLE:

Amendments.

Line 1,—After the word "to" expunge the word "enable" in line 6.

IN THE BILL:

Press 2, Line 7,—After "bill" expunge the remainder of the preamble.

" 2, " 23,—After "same" expunge the remainder of the clause.

" 3, " 3,—Expunge this line.

" 3, " 4,—Expunge "aforesaid."

" 3, " 8,—After "Act" insert "any thing contained in the first clause of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein mentioned,' to the contrary thereof in any wise notwithstanding."

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Thirtieth day of January, 1840. }
}

2d reading to-morrow.

Ordered—That the amendments be read a second time to-morrow.

Speaker reports mes-
sage from Gov. General

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents.

The messages were read by the Speaker, as follows:

C. POULETT THOMSON:

Message respecting
Long Point light house.

The reconstruction of the Light House on Long Point, in Lake Erie, having been recommended by Captain Sandom, Commanding Her Majesty's Naval Forces in Upper Canada, as a measure of great public importance, the Governor General transmits, herewith, an estimate of the expense which would attend the execution of such a work, and invites the early consideration of the House of Assembly to this subject.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

Message, with report of
board of education,
district of Ottawa.

The Governor General transmits, herewith, for the information of the House of Assembly, the report made to him by the Board of Education of the Ottawa District, for the year 1839.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits to the House of Assembly such returns as have been received, of moneys expended on roads in the several districts of the Province, furnished in pursuance of the address of the House, dated 4th of May, 1839. Message, with returns of district road moneys.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, the report made to him by the Trustees of the Macadamized road between Kingston and Napanee, for the year 1839. Message, with report of trustees Kingston and Napanee road.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

In conformity with the intention expressed in his answer of the 25th instant, the Governor General transmits, herewith, to the House of Assembly, a copy of the petition of certain inhabitants of the county of Middlesex, to His Excellency Sir George Arthur, in 1838, for removing the office of Registrar for that county to the town of London; copy of the letter of the Private Secretary to the Registrar, in reference to the said petition, and copy of the Registrar's report thereon, and also copy of the Commission given to the Registrar of the county of Middlesex, in the year 1809. Message, with petition from Middlesex, &c. respecting office of registrar.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits, for the information of the House of Assembly, with reference to his former Messages, the returns furnished by the Treasurers of the undermentioned Districts, of sums received and disbursed by them for roads and bridges, under Acts of the present Parliament, and the Wild Land Assessment Law, viz:— Message, with return of provincial road moneys.

WESTERN,
EASTERN,
BATHURST,
HOME,
WILLIAMSBURG, E.D.
SOUTH CROSBY, J.D.
NORTH GOWER.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

The Governor General transmits, herewith, for the information of the House of Assembly, the return furnished by the Clerk of the Peace, of the religious denominations in the Home District, for the year 1839. Message, with return of religious denominations Home District.

Toronto,
Thirty-first day of January, 1840.

*For Correspondence respecting Long Point Light House,
Report of Board of Education, District of Ottawa,
Return of Expenditure of District Road Moneys,
Report of Commissioners, Kingston and Napanee Road,
Petition from inhabitants of Middlesex, &c.
Returns of Expenditure of grants for Roads and Bridges,
Religious Census for the Home District—See Appendix.*

Adjourned.

SATURDAY, 1st February, 1840.

The House met.

The minutes of yesterday were read.

Mr. Merritt brought up the petition of William Lowell, and sixty-four others, of the District of Niagara, which was laid on the table.

Pursuant to the order of the day, the following petitions were read :—

Of James Mitchell, praying remuneration for the loss incurred by him from the non-payment of the balance due on his contract for building a bridge over the Pigeon River, in the District of Newcastle.

Of James Gilleland, and fifty-one others, of the District of Niagara, praying for the passing of an act to authorise the conveyance of old roads.

And of William Wilson, and one hundred and fifty-one others, of the District of Talbot, praying for a further grant of one thousand pounds to improve the Great Canboro' Road.

On motion of Mr. Parke, seconded by Mr. Cook,

Ordered—That His Excellency the Governor General's message of yesterday, relating to the Registry Office of the County of Middlesex, be referred to the committee to which was referred the petition of John Douglas, Esquire, and others, of the town of London.

Mr. Murney gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend an act entitled, "An Act to establish a Court of Chancery within this province."

Mr. Prince gives notice that he will, on Monday next, move that an humble address be presented to His Excellency the Governor General, setting forth the great want which at present exists of the establishment of a medical school in this province, and requesting that professorships in medicine, surgery and anatomy be established in the Upper Canada College forthwith.

Mr. Thorburn, from the committee to wait upon His Excellency the Governor General, with the address for a return of the number of suits in Chancery, &c., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:—

GENTLEMEN:

I will direct the statement to be prepared, and laid before the House of Assembly as soon as possible.

Mr. Thorburn, from the committee to draft a bill pursuant to the resolution of this House, to equalize the duties on licenses to shopkeepers for selling wines, brandy, and spirituous liquors, reported a draft, which was received and read the first time.

Ordered—That the shopkeepers' licence bill be read a second time on Monday next.

Mr. Solicitor General, from the select committee to which was referred the petition of William Chisholm, Esquire, respecting the Oakville Harbor Loan, presented a report, and the draft of a bill, which was received.

The report was read.

Report—(See Appendix.)

Petition of W. Lowell and 64 others brought up.

Petitions read:

Jas. Mitchell.

J. Gilleland and 51 others.

W. Wilson and 151 others.

Message, with petition from Middlesex, &c. respecting register, referred to sel. com.

Notices:

Of bill to amend Chancery Act.

Of address to Governor General on medical professorships.

Com. to carry up address for return of suits in Chancery report answer

Answer.

Com. report shopkeepers' licence bill. Bill read.

2d reading to-morrow.

Sel. com. on petition of W. Chisholm present report, and Oakville harbor loan continuation bill.

The bill was read the first time.

Bill read.

Ordered—That the bill to extend the time for the repayment of the loan to the Oakville Harbor be read a second time on Monday next.

2d reading Monday.

Mr. McLean, from the select committee to which was referred the petition of Duncan McDonell, Esquire, praying to be reimbursed a sum of money expended by him in improving the Cornwall and L'Original road, presented a report, which was received and read.

Sel. com. on petition of D. McDonell, Esquire, present report.

Report—(See Appendix.)

On motion of Mr. Shaver, seconded by Mr. Hotham,

Ordered—That a message be sent to the Honorable the Legislative Council, requesting the attendance of the Honorable Mr. Burnham before a select committee of this House on the petition of Messrs. McDonell and Mears.

Message to Leg. Council for leave to Mr. Burnham to attend sel. com. ordered.

Mr. Gamble, from the select committee to which were referred the several reports of the commissioners of Macadamized Roads, presented, as a second report, the draft of a bill.

Sel. com. on Macadamized road reports, report turnpike trust bill.

The report was received and the bill was read the first time.

Bill read.

Ordered—That the bill to consolidate the Turnpike Trusts be read a second time on Monday next.

2d reading Monday.

Mr. McKay, from the select committee to which was referred the petition of N. H. Baird, presented a report, which was received and read, as follows:—

Sel. com. on petition of N. H. Baird present report.

To the Honorable the Commons House of Assembly :

The Committee to whom was referred the petition of Nichol Hugh Baird, Civil Engineer, beg leave to report:—

That your Committee, after having examined the petition and accounts thereto annexed, have come to the conclusion, that the petitioner is entitled to be remunerated, having, in the Session of 1836-7, previous to being employed as Engineer on the Trent, been ordered by a committee of the House to proceed to Toronto, with the plans and estimates of the improvements in progress on the inland waters of the Newcastle District and the River Trent, and there to remain to give evidence to the Legislative Council and House of Assembly; which time and expenses amounted to seventy-seven pounds eight shillings and four pence, currency.

Report.

Your Committee beg leave to recommend, that the sum of forty-three pounds eight shillings and four pence, currency, be paid him, to cover his expenses.

All which is respectfully submitted.

T. McKAY,
CHAIRMAN.

Committee Room, House of Assembly, }
31st January, 1840.

On motion of Mr. McKay, seconded by Mr. Ruttan,

Ordered—That the report of the select committee on the petition of N. H. Baird, Esq., be referred to a committee of the whole House on supply on Monday next.

Report referred to supply on Monday next

On motion of Mr. Gamble, seconded by Mr. Shade,

Ordered—That the Turnpike Road amendment bill be the first item on the order of the day on Monday next, after receiving reports.

Turnpike trust bill first item on Monday.

On motion of Mr. McLean, seconded by Mr. Hotham,

Ordered—That the report of the select committee on the petition of Duncan McDonell, Esq., be referred to a committee of the whole on supply.

Report on petition of D. McDonell, Esquire, referred to supply.

Mr. Prince, from the select committee to which was referred the petition of Joseph Randal, presented a report, which was received and read, as follows:—

Sel. com. on petition of J. Randal present report

To the Honorable the Commons House of Assembly:

Report.

The Select Committee to which was referred the petition of Joseph Randal, of the town of Chatham, praying for compensation for the loss of his left arm, while employed as a volunteer at Chatham, in the Western District, on the 30th day of June, 1833, beg leave to report:

That after a full and impartial examination of all the papers and certificates relative to the case of the said Joseph Randal, they find that he lost his left arm by an accident, while engaged in proving a cannon, taken from the enemy at Fighting Island, which he had just been employed in cleaning and mounting, by order of several Magistrates of the town of Chatham.

Your Committee, therefore, duly considering all the circumstances under which this unfortunate man lost his arm, beg leave to recommend him to the consideration of your Honorable House, as a fit object for the grant of a pension of one shilling per diem for the remainder of his life.

All which is respectfully submitted.

JOHN PRINCE,
CHAIRMAN.

Committee Room, House of Assembly, }
1st February, 1840. }

On motion of Mr. Prince, seconded by Mr. Wickens,

Report referred to
supply on Monday next.

Ordered—That the report on the petition of Joseph Randal be referred to a committee of the whole on supply on Monday next.

Speaker reports letter
from Dr. Rolph.

Mr. Speaker reported that he had received from Thomas Rolph, Esquire, a letter, which was read, and is as follows:—

9, WELBECK STREET,
CAVENDISH SQUARE, LONDON,
November 27th, 1839.

To the Honorable the Speaker of the Commons House of Assembly, Upper Canada.

HONORABLE SIR,

Letter.

At the instigation of many persons, in various parts of the Province, I came, at the commencement of the summer, to Great Britain, in order to remove those erroneous impressions from the minds of my fellow countrymen, which were operating most prejudicially against emigration, and the investment of capital, in our noble country. In England, Ireland, and Scotland, my exertions have been crowned with wonderful success. Many noblemen, gentlemen, and clergymen, have made most anxious inquiries as to the aptitude of Upper Canada for emigrants of moderate means, for the investment of capital, and as a good abode for frugal industrious laborers.—Persons interested in the colonization of New Zealand and South Australia, and even the intended slave depot of Texas, have been making indefatigable exertions, not merely to induce persons to settle in those countries; but they have also endeavored to create additional alarm about Canada, by disseminating the most exaggerated, and, in many instances, most unfounded statements relative to it. One case, in particular, was so glaring, viz: the publication of a pamphlet by Thornton Leigh Hunt, Esquire, entitled, "Canada vs. Australia," principally composed of extracts from Lord Durham's report, of the most disparaging nature to Upper Canada, and heightened by the most extravagant misrepresentations of his own, that I did not hesitate to publish an answer at once to it, which produced a most contemptible rejoinder from him, and placing the responsibility of his statements on the shoulders of Lord Durham. In order still further to attract the attention of the people to South Australia and New Zealand, weekly newspapers, and monthly magazines, well supported and widely circulated, were established by persons interested in their colonization; and with a view to give more effect to their exertions, different panoramas were exhibited to the public gaze, at a low price, in all the large towns. They introduced into their newspapers every article from the American newspapers which was calculated to cause distrust and alarm about Canada. But notwithstanding all this, I rejoice to inform you, that in all parts of the United Kingdom I have met with zealous and influential persons, of all parties, warmly and deeply interested in the welfare, prosperity, advancement, and colonization of Upper Canada. Amongst so many, I am almost afraid to select a few, but it would be great injustice to Sir Robert Wilmot Horton, Bart., Sir A. McLaughlin, the Reverend D. McLeod, the Reverend Messieurs Sockett and Huntingford, Captains Belstead and Bolden, W. Knight Murray, Esquire, and Lord Cloncurry, not to notice their earnest and unceasing exertions in behalf of Upper Canada. Mr. Colquhoun, of Kellermount, and Member for Kilmarnock, a man of great eloquence, commanding talent, and much influence, is deeply interested in our welfare, and is desirous of assisting us by his powerful and well directed exertions in the Imperial Parliament. The Highland proprietors are most desirous of co-operating with the Government, in order to promote a judicious, extensive, and well arranged plan of emigration from the Highlands. From England and Ireland, persons of large and small capital are making preparations for emigration to our Province; and should your Honorable House sanction, countenance, and encourage my exertions, I propose visiting every market town in England, on the respective market days, dine with the farmers, at the various market tables, impart to them every particular respecting our soil, climate, locality, &c. &c.;

and then deliver a public lecture, in the same place, on the evening of the same day. I have been already invited to this course, by persons from Essex, Norfolk, Lincolnshire, Yorkshire, and Sussex. I have subjoined an account of my expenses to the present period, and most respectfully soliciting the assistance of the Honorable House of Assembly, to enable me to complete an undertaking, in which all my feelings and faculties are warmly interested, the indissoluble union of Canada with the British Crown, by a constant and uninterrupted current of British emigration and wealth.

I have the honor to remain,
 Honorable Sir,
 With sentiments of the highest respect,
 Your most obedient and very humble servant,
THOMAS ROLPH.

On motion of Mr. Robinson, seconded by Mr. Solicitor General,

Ordered—That the letter of Thomas Rolph, Esquire, be referred to the committee on emigration.

Letter referred to committee on emigration.

Pursuant to the order of the day, the House was again put into a committee of supply on the report of the committee on finance.

Com. of supply again on finance report.

Mr. Wickens in the chair.

The House resumed.

The chairman reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

Resolutions reported.

The report was received.

The following resolutions were severally put and carried:

Resolved—That there be granted to Her Majesty, the sum of two hundred and eight pounds, to pay the salary of the civil and private secretary to His Excellency the Lieutenant Governor.

1st Resolution.
 £208, salary of Private Secretary.

Resolved—That there be granted to Her Majesty, the sum of one hundred and seventy-five pounds, to pay the salary of one clerk in the office of the Lieutenant Governor.

2d Resolution.
 £175, salary of one Clerk in Government Office.

Resolved—That there be granted to Her Majesty, the sum of one thousand seven hundred and twenty pounds, to pay the contingent expenses of the office of the Lieutenant Governor.

3d Resolution.
 £1720, Contingencies of Government Office.

The fourth resolution was put, as follows:

Resolved—That there be granted to Her Majesty, the sum of one thousand five hundred and seventy-two pounds, to pay the excess of the contingent expenses of the office of the Lieutenant Governor, for the year 1839.

4th Resolution.
 £1572, Contingencies of Government Office, excess for 1839.

On which the yeas and nays were taken, as follows:

Division on resolution.

YEAS.

Messrs. Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Caldwell, Chisholm of Glengarry, Cook, Duncombe, Elliott, Ferrie, Gamble, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Merritt, Morris, Murney, Parke, Powell, Prince, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens, Woodruff—43.

Yeas—43.

NAYS.

Mr. McIntosh—1.

Nay—1.

The question was carried in the affirmative, by a majority of forty-two, and the resolution was adopted.

Carried—majority 42.

The following resolutions were severally put and carried:

5th Resolution.
£1650, Clerks in Secretary and Registrar's Office.

Resolved—That there be granted to Her Majesty, the sum of one thousand six hundred and fifty pounds, to pay the salaries of clerks in the Secretary and Registrar's office, viz.

First department—Chief clerk and two junior clerks, seven hundred pounds.

Second department—One senior clerk, three hundred pounds.

Third department—One senior clerk and two junior clerks, six hundred and fifty pounds.

6th Resolution.
£400, Contingencies of Secretary and Registrar's Office.

Resolved—That there be granted to Her Majesty, the sum of four hundred pounds, to pay the contingent expenses of the Secretary and Registrar's office.

7th Resolution.
£840, Clerks in Executive Council Office.

Resolved—That there be granted to Her Majesty, the sum of eight hundred and forty pounds, to pay the salaries of four clerks in the Executive Council office.

8th Resolution.
£175, Contingencies of Ex. Council Office.

Resolved—That there be granted to Her Majesty, the sum of one hundred and seventy-five pounds, to pay the contingent expenses of the Executive Council office.

9th Resolution.
£670, Clerks in Receiver General's Office.

Resolved—That there be granted to Her Majesty, the sum of six hundred and seventy pounds, to pay the salaries of three clerks in the Receiver General's office.

10th Resolution.
£200, Contingencies of Receiver Gen'l's Office.

Resolved—That there be granted to Her Majesty, the sum of two hundred pounds, to pay the contingent expenses of the Receiver General's office.

11th Resolution.
£670, Clerks in Inspector General's Office.

Resolved—That there be granted to Her Majesty, the sum of six hundred and seventy pounds, to pay the salaries of three clerks in the Inspector General's office.

12th Resolution.
£200, Contingencies of Inspector Gen'l's Office.

Resolved—That there be granted to Her Majesty the sum of two hundred pounds, to pay the contingencies of the Inspector General's Office.

13th Resolution.
£300, Senior Surveyor and Draftsman.

The thirteenth resolution was put, as follows :

Resolved—That there be granted to Her Majesty the sum of three hundred pounds, to pay the salary of the Senior Surveyor and Draftsman in the Surveyor General's Office.

Division on resolution.

On which the yeas and nays were taken as follows :

Y E A S .

Nays—31.

Messrs. *Attorney General, Bockus, Burwell, Burrill, Chisholm* of Glengarry, *Elliott, Ferrie, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McKay, McLean, McMicking, Morris, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Salmon, Shade, Shaver, Sherwood, Solicitor General, Wickens*—31.

N A Y S .

Nays—11.

Messrs. *Aikman, Armstrong, Boulton, Caldwell, Duncombe, Gamble, McIntosh, Rykert, Small, Thomson, Woodruff*—11.

Carried—majority 20.

The question was carried in the affirmative by a majority of twenty, and the resolution was adopted.

14th Resolution.

The fourteenth resolution was put, as follows :

£1180 Clerks in Surveyor General's Office.

Resolved—That there be granted to Her Majesty the sum of one thousand one hundred and eighty pounds, to pay the salaries of six clerks in the Surveyor General's Office.

Division.

On which the yeas and nays were as follows:

Y E A S .

Yeas—30.

Messrs. *Attorney General, Bockus, Burwell, Chisholm* of Glengarry, *Elliott, Ferrie, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McKay, McLean, McMicking, Morris, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Salmon, Shade, Shaver, Sherwood, Solicitor General, Wickens*—30.

N A Y S.

Messrs. *Aikman, Armstrong, Boulton, Burritt, Caldwell, Duncombe, Gamble, McIntosh, Rykert, Small, Thomson, Woodruff*—12. Nays—12.

The question was carried in the affirmative, by a majority of eighteen, and the resolution was adopted. Carried—majority 18.

The following resolutions were severally put and carried:

Resolved—That there be granted to Her Majesty, the sum of seventy-five pounds, to pay the contingencies of the Surveyor General's office. 15th Resolution. £75, Contingencies of Surveyor Gen'l's Office.

Resolved—That there be granted to Her Majesty, the sum of one hundred and seventy pounds, to pay the salary of one clerk in the office of the Adjutant General of Militia. 16th Resolution. £170, Clerk in Adjutant Gen'l's Office.

Resolved—That there be granted to Her Majesty, the sum of three hundred pounds, to pay the contingent expenses of the office of the Adjutant General of Militia. 17th Resolution. £300, Contingencies of Adjutant Gen'l's Office.

Resolved—That there be granted to Her Majesty, the sum of three hundred and seventy-nine pounds, fifteen shillings, to pay the arrears of contingencies in the office of the Adjutant General of Militia, for the years 1838 and 1839. 18th Resolution. £379 15s., Contingencies of Adjutant Gen'l's Office for 1838 and 1839.

Resolved—That such sum be allowed to the Attorney General of this province, for the present year, as, with his allowance in lieu of all fees as an officer of the Land Granting Department, and such other sum or sums as he may receive on fiats and other instruments, as will be equal to one thousand two hundred pounds, which sum shall be in lieu of all fees, travelling expenses and contingencies. 19th Resolution. Salary of Att'y General.

Resolved—That there be granted to Her Majesty, the sum of three hundred and seventy-seven pounds, thirteen shillings and eight pence, to pay the additional salary of the Solicitor General, which shall be in lieu of all fees, travelling expenses and contingencies. 20th Resolution. Salary of Sol'r General.

The twenty-first resolution was put, as follows:

Resolved—That there be granted to Her Majesty, the sum of four hundred pounds, to pay expenses of criminal prosecutions for the current year. 21st Resolution. £400, Expense of criminal prosecutions.

On which the yeas and nays were taken, as follows: Division.

Y E A S.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Elliott, Ferrie, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Morris, Parke, Powell, Prince, Robinson, Rykert, Salmon, Shade, Shaver, Small, Solicitor General, Thomson, Wickens, Woodruff*—36. Yeas—36.

N A Y S.

Messrs. *Gamble, McIntosh, Richardson, Ruttan*—4. Nays—4.

The question was carried in the affirmative, by a majority of thirty-two, and the resolution was adopted. Carried—majority 32.

The twenty-second resolution was put and carried, as follows:

Resolved—That there be granted to Her Majesty, the sum of forty pounds, to pay the salaries of the Usher and Keeper of the Court of Queen's Bench. 22d Resolution. £40, Usher and Keeper of King's Bench.

The twenty-third resolution was put, as follows:

Resolved—That there be granted to Her Majesty, the sum of four hundred pounds, to pay the excess of expenditure for criminal prosecutions for 1839. 23d Resolution. £400, Expense of criminal prosecutions, excess for 1839.

Division.

On which the yeas and nays were taken, as follows:

Y E A S .

Yeas—35.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Morris, Parke, Powell, Prince, Richardson, Robinson, Rykert, Salmon, Shade, Shaver, Solicitor General, Woodruff*—35.

N A Y S .

Nays—5.

Messrs. *Gamble, McIntosh, Ruttan, Small, Thomson*—5.

Carried—majority 30

The question was carried in the affirmative, by a majority of thirty, and the resolution was adopted.

The following resolutions were severally put and carried:

24th Resolution.
£1000, Printing statutes

Resolved—That there be granted to Her Majesty the sum of one thousand pounds, to defray the expense of printing the Statutes.

25th Resolution.
£750, Gov't Printing.

Resolved—that there be granted to Her Majesty the sum of seven hundred and fifty pounds, to pay for the Government Printing.

26th Resolution.
£200, Repairs of
Government House.

Resolved—That there be granted to Her Majesty the sum of two hundred pounds, to pay for repairs of the Government House.

27th Resolution.
£60, Repairs of
Government House,
arrears for 1839.

Resolved—That there be granted to Her Majesty the sum of sixty pounds, to pay the arrears for repairs of the Government House for the year 1839.

28th Resolution.
£800, Contingencies of
Public Offices.

The twenty-eighth resolution was then put, as follows :
Resolved—That there be granted to Her Majesty the sum of eight hundred pounds, to pay the contingencies of the Public Offices.

Division.

On the which the yeas and nays were taken as follows :

Y E A S .

Yeas—32.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burritt, Burwell, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Elliott, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, Morris, Parke, Powell, Prince, Robinson, Ruttan, Salmon, Shaver, Sherwood, Solicitor General, Wickens*—32.

N A Y S .

Nays—10.

Messrs. *Boulton, Duncombe, Gamble, McIntosh, McMicking, Richardson, Rykert, Small, Thomson, Woodruff*—10.

Carried—majority 22.

The question was carried in the affirmative by a majority of twenty-two, and the resolution was adopted.

The twenty-ninth resolution was put, as follows :

29th Resolution.
£100, Repairs East
Wing of Public Offices.

Resolved—That there be granted to Her Majesty the sum of one hundred pounds, to pay for repairs of the East Wing of the Public Offices.

Division.

On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—42.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Elliott, Ferrie, Gamble, Hotham, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Morris, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Salmon, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens, Woodruff*—42.

N A Y .

Mr. *McIntosh*.—1.

Nay—1.

The question was carried in the affirmative by a majority of forty-one, and the resolution was adopted. Carried—majority 41.

The thirtieth and thirty-first resolutions were severally put and carried, as follows: 30th Resolution.

Resolved—That there be granted to Her Majesty, the sum of one hundred pounds, to pay for furniture for the Executive Council chamber. £100, Furniture for Ex. Council Chamber.

Resolved—That there be granted to Her Majesty, the sum of fifty pounds, to pay a like sum to the Clerk of the Crown and Pleas. 31st Resolution. £50, Clerk of Crown.

The thirty-second resolution was put, as follows: 32d Resolution.

Resolved—That there be granted to Her Majesty, the sum of one hundred and fifty pounds, to pay the Clerk of the Crown and Pleas, for services in criminal and other suits of the crown, for the years, 1837, 1838, and 1839. £150, Clerk of Crown, criminal suits, &c. for 1837, 1838, and 1839.

On which the yeas and nays were taken, as follows: Division.

Y E A S .

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Chisholm of Glengarry, Duncombe, Elliott, Ferrie, Gamble, Hotham, Kearnes, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Morris, Murney, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Wickens, Woodruff*—41. Yeas—41.

N A Y S .

Messrs. *Cook, Malloch, McIntosh, Thomson*—4.

Nays—4.

The question was carried in the affirmative, by a majority of thirty-seven, and the resolution was adopted.

The thirty-third resolution was put, as follows:

Resolved—That there be granted to Her Majesty, the sum of six hundred pounds, to pay for casual and extraordinary expenses. 33d Resolution. £600, Casual and extraordinary expenses

In amendment—Mr. Prince, seconded by Mr. Caldwell, moves that after the words “six hundred pounds,” all be struck out, and the following words inserted: “to pay the rewards offered for the capture of Joshua Doan and Finlay Malcolm, and other casual and extraordinary expenses.” Amendment moved.

On which the yeas and nays were taken, as follows: Division on amendment

Y E A S .

Messrs. *Aikman, Armstrong, Boulton, Caldwell, Chisholm of Glengarry, Cook, Elliott, Ferrie, Gamble, Hotham, Kearnes, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Murney, Powell, Prince, Richardson, Ruttan, Salmon, Shade, Small, Thomson, Wickens*—27. Yeas—27..

N A Y S .

Messrs. *Attorney General, Bockus, Burwell, Chisholm of Halton, Duncombe, Malloch, McIntosh, McKay, Parke, Robinson, Rykert, Shaver, Solicitor General, Woodruff*—14. Nays—14.

The question of amendment was carried in the affirmative, by a majority of thirteen. Amendment carried—majority 13.

On the original question, as amended, the yeas and nays were taken, as follows: Division on original question.

Y E A S .

Messrs. *Aikman, Armstrong, Bockus, Boulton, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Elliott, Ferrie, Gamble, Hotham, Kearnes, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Murney, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Salmon, Shade, Small, Thomson*—30. Yeas—30.

N A Y S .

Nays—9. Messrs. *Attorney General, Burwell, McIntosh, McKay, McMicking, Rykert, Shaver, Solicitor General, Woodruff*—9.

Carried—majority 21. The question was carried in the affirmative, by a majority of twenty-one, and the resolution, as amended, was adopted, as follows:

33d Resolution, as amended. *Resolved*—That there be granted to Her Majesty the sum of six hundred pounds, to pay the rewards offered for the capture of Joshua Doan and Finlay Malcolm, and other casual and extraordinary expenses.

34th Resolution. The thirty-fourth resolution was put, as follows:

£500, Receiver Gen'l. *Resolved*—That there be granted to Her Majesty, the sum of five hundred pounds, to pay a like sum to the Hon. John Henry Dunn, Receiver General, to make up, with the sum heretofore granted, a sum equal to one fourth per centum on the whole amount of loans negotiated by that officer for this Province in London.

Division. On which the yeas and nays were taken, as follows:

Y E A S .

Yeas—43. Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Elliott, Ferrie, Hotham, Kearnes, Malloch, Manahan, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Morris, Murney, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Solicitor General, Thorburn, Woodruff*—43.

N A Y S .

Nays—2. Messrs. *Gamble, McIntosh*—2.

Carried—majority 41. The question was carried in the affirmative by a majority of forty-one, and the resolution was adopted.

35th Resolution. The thirty-fifth resolution was put and carried, as follows:

£70,000, Balance due Bankers in London. *Resolved*—That there be granted to Her Majesty the sum of seventy thousand pounds to enable Her Majesty to pay a like sum or so much thereof as may be necessary to pay the amount due by this Province to Messrs. Glynn, Halifax & Co. and Baring, Brothers & Co.

On motion of Mr. Bockus, seconded by Mr. Morris,

Com. to draft bills on resolutions. *Ordered*—That the foregoing resolutions be referred to Messrs. Robinson and Rykert, to draft and report bills pursuant thereto.

Message from Legislative Council. Mr. Joseph, Clerk to the Honorable the Legislative Council, brought down from that Honorable House, a message, and a bill entitled "An Act to authorize the temporary occupation, by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned," which that Honorable House had passed, and requested the concurrence of this House thereto.

Message. The message were read as follows:

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to compel certain persons, not assessed, to perform statute labour;" also the bill entitled "An Act to alter and amend an act passed in the forty-fifth year of the Reign of His late Majesty King George the Third, entitled 'An Act to regulate the packing, curing and inspection of Beef and Pork,'" and also the bill entitled "An Act to incorporate certain persons under the name and style of the President, Directors and Company, of the Bronte Harbor," without amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
First day of February, 1840. }

Statute labor bill,
Beef and Pork inspection bill, and

Bronte Harbor bill,
passed Leg. Council.

The bill sent down by the Honorable the Legislative Council, entitled, "An Act to authorise the temporary occupation, by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned," was read the first time.

Bill to allow Kingston University to occupy the Hospital (L. C.) read first time.

Ordered—That the bill be read a second time on Monday next.

2d reading Monday.

Pursuant to notice, Mr. Burwell, seconded by Mr. McLean, moves that it be Resolved—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House if the draft of a bill to be submitted to the Imperial Parliament, for uniting the provinces of Upper and Lower Canada, has been transmitted by His Excellency to Her Majesty's Ministers; and if such be the fact, that His Excellency will be pleased to lay a copy of such draft of a bill before this House; and humbly assuring His Excellency that this House disclaim any desire to embarrass His Excellency's administration of the government of the colonies, but having been consulted by order of our Most Gracious Sovereign, on the subject of the proposed union of Upper and Lower Canada, they feel it a duty they owe to the people they represent, as well as to Her Majesty's Government, to ascertain, if possible, the precise terms on which the proposed act of union is to be submitted to Parliament by Her Majesty's Ministers.

Motion for address to Gov. General for copy of bill to be submitted for union of the Canadas

On which the yeas and nays were as follows:

Division.

YEAS.

Messrs. Bockus, Boulton, Burwell, Cartwright, Elliott, Gamble, Gowan, McIntosh, McLean, Prince, Richardson, Robinson, Salmon, Shade, Thomson—15.

Yeas—15.

NAYS.

Messrs. Aikman, Armstrong, Attorney General, Burrill, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Ferrie, Hunter, Kearnes, Malloch, Manahan, Mathewson, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Merritt, Morris, Parke, Powell, Ruttan, Rykert, Shaver, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff—32.

Nays—32.

The question was decided in the negative by a majority of seventeen.

Lost—majority 17.

Pursuant to notice, Mr. Ruttan, seconded by Mr. Boulton, moves that the House do now resolve itself into a committee of supply upon the subject of indemnity to sufferers by the acts of incendiaries.

Com. of supply on destruction by incendiaries, since 1838.

Which was carried, and the House was put into a committee of supply accordingly.

Mr. Small in the chair.

The House resumed.

The chairman reported that the committee had agreed to a resolution which he was directed to submit for the adoption of the House.

Resolution reported.

The report was received.

The resolution was put, as follows:

Resolved—That the sum of five thousand pounds be granted to Her Majesty, to enable Her Majesty to remunerate sufferers by the acts of incendiaries, since the 4th of December, 1838.

Resolution. £5000, to remunerate sufferers by incendiarism since 1838.

On which the yeas and nays were taken, as follows:

Division.

YEAS.

Messrs. Boulton, Chisholm of Halton, Elliott, Hotham, Manahan, Mathewson, McDonell of Glengarry, McDonell of Northumberland, Powell, Prince, Richardson, Ruttan, Shade, Thorburn—14.

Yeas—14.

NAYS.

Messrs. Armstrong, Bockus, Burrill, Cartwright, Chisholm of Glengarry, Cook, Duncombe, Gamble, Gowan, Hunter, Malloch, McCargar, McDonell of Stormont, McIntosh, Merritt, Morris, Rykert, Shaver, Small, Solicitor General—20.

Nays—20.

The question was decided in the negative, by a majority of six.

Lost—majority 6.

Adjourned.

MONDAY, 3rd February, 1840.

The House met.

The minutes of Saturday were read.

Petitions brought up:

A. McDonell, Esquire.

E. Wilson.

J. F. Taylor (2d).

T. Snook and 23 others

D. B. O. Ford.

Petitions read:

G. Manners and 37 others.

J. Stringer and 13 others.

J. Martin and 35 others

A. D. Fordyce and 62 others.

A. McDonell, Esq.

D. B. O. Ford.

Petitions referred:
Of D. B. O. Ford, to select committee.

Of S. Hawley transferred from com. of supply to com. on message on losses by incendiarism.

The following petitions were severally brought up and laid on the table:

By Mr. Cartwright, the petition of Allan McDonell, Esq., Sheriff of the Midland District.

By Mr. Morris, the petition of Ebenezer Wilson, J. P., of the district of Bathurst.

By Mr. Sherwood, the petition of John Fenning's Taylor.

By Mr. Marks, the petition of Tunis Snook, and twenty three others, of the seventh concession of the township of Kingston.

And by Mr. Sherwood, the petition of David B. O. Ford, of the town of Brockville.

Pursuant to the order of the day, the following petitions were read:—

Of George Manners, President of the Agricultural Society, and eighty-seven others, of the county of Northumberland, praying that articles essential for the promotion of agriculture may be admitted into the Province free of duty, and that the duties on foreign produce may be raised.

Of James Stringer, and eighteen others, of the townships of Esquesing, Erin, Caledon, and Chinguacousy, praying aid for a road.

Of John Martin, and thirty five others, praying the House to remunerate James Thompson, of Esquesing, for the service rendered by him to that and the neighbouring townships by the erection of Grist Mills.

And of Al. Dingwall Fordyce, J. P., and sixty-two others, of Fergus, in the district of Gore, complaining of the burthen entailed upon the district by its being rendered liable for the re-payment of the debt to be contracted for the construction of the Great Western Rail Road.

Mr. Cartwright, seconded by Mr. Murney, moves that the petition of Allan McDonell, Esquire, Sheriff of the Midland District, be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the petition of Allan McDonell, Esquire, Sheriff of the Midland District, stating that several debtors have escaped from the gaol of the said district, on account of its insecurity, and praying to be relieved from responsibility for such escapes—was read.

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of D. B. O. Ford, Esq., be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the petition of David B. O. Ford, of the town of Brockville, praying for the incorporation of a company to work an iron mine in the township of Yonge, in the district of Johnstown—was read.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the petition of D. B. O. Ford, Esquire, be referred to a select committee, consisting of Messieurs Morris and Gowan, with power to report thereon, by bill or otherwise.

On motion of Mr. Ruttan, seconded by Mr. Boulton,

Ordered—That so much of the order of the day as relates to the petition of Sheldon Hawley, Esquire, be discharged, and that the said petition be referred to the select committee on the message of His Excellency the Governor General respecting losses by incendiarism.

On motion of Mr. Cartwright, seconded by Mr. Murney,

Ordered—That the petition of Allan McDonell, Esquire, Sheriff of the Midland District, be referred to a select committee, consisting of Messieurs Marks, Mathewson and Detlor, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Of A. McDonell, Esq. to select committee.

On motion of Mr. Ruttan, seconded by Mr. McDonell of *Northumberland*,

Ordered—That the petitions of T. Speir and others, and T. Walker and others, be referred to the committee on roads and bridges.

Of T. Speir and others, and T. Walker and others, to com. on roads and bridges.

On motion of Mr. Ruttan, seconded by Mr. Boulton,

Ordered—That the petition of W. Coulson, and ninety-three others, be referred to the committee to whom was referred the several petitions on Hunters' Lodges.

Of W. Coulson and others, to committee on Hunters' lodges.

On motion of Mr. Rykert, seconded by Mr. Merritt,

Ordered—That the petition of J. Gilleland, and others, and also the petition of George Miller, and others, be referred to a select committee, composed of Messrs. Thomson and Caldwell, with power to send for persons and papers, and to report thereon by bill or otherwise.

Of J. Gilleland and others, and G. Miller and others, to sel. com.

On motion of Mr. Thorburn, seconded by Mr. Woodruff,

Ordered—That the petition of Francis Hall, Esq., Civil Engineer, be referred to a select committee, composed of Messrs. McKay and Ruttan, with power to send for persons and papers, and to report thereon.

Of F. Hall, Esq. to select committee.

Mr. McDonell, of *Glengarry*, gives notice that he will, to-morrow, move that the House do resolve itself into a committee of supply, for the purpose of granting to Her Majesty the sum of two hundred pounds, to be added to the salary of the Speaker who presided during the first year of the present Parliament.

Notice of motion for com. of supply to increase Speaker McLean's salary.

On motion of Mr. Thorburn, seconded by Mr. Thomson,

Ordered—That a message be sent to the Honorable the Legislative Council, requesting that the Honorable and Right Reverend the Bishop of Toronto, the Honorable William Allan, and the Honorable George Crookshanks, have leave to attend the committee of this House to inquire and report on the proceedings of the Loyal and Patriotic Society.

Message to Legislative Council for leave for certain members to attend sel. com. ordered

Mr. Sherwood, from the select committee to which was referred the petition of Alpheus Todd, presented a report, which was received and read, as follows :

Sel com. on petition of A. Todd present report.

To the Honorable the Commons House of Assembly :

The Committee, to whom was referred the petition of Alpheus Todd, beg leave respectfully to report:—

Report.

That they have inquired into the subject of the said petition, and they beg leave to recommend that the work of the said petitioner, entitled, "The Practice and Privilege of the two Houses of Parliament," be adopted, and printed for the use of Members, as the petitioner has very justly observed, the Manual of Parliamentary Practice, compiled in the year 1828, by the late Hugh C. Thomson, Esquire, is now out of print, and some work of the kind is absolutely required.

All which is respectfully submitted.

H. SHERWOOD,
CHAIRMAN.

Committee Room, House of Assembly, }
30th January, 1840.

Mr. Rykert, from the committee to draft bills pursuant to the resolutions of supply, of Saturday last, reported the drafts of three bills.

Com. report three bills on supply resolutions.

The report was received.

The supply bill was read the first time.

Supply bill read 1st time

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Solicitor General, moves that the bill be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Robinson in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the bill to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Robinson, moves that the bill be engrossed and read a third time this day, and that the fortieth rule of this House be dispensed with so far as relates to the same.

3d reading to-day.

Which was carried, and the bill was ordered to be engrossed and read a third time this day.

Bill to remunerate Receiver General read first time.

The bill to remunerate the Receiver General was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Robinson, moves that the bill be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Gamble in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Bill to pay balance due certain Bankers read first time.

The bill to provide for the payment of the balance due to certain Bankers in London was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Rykert, moves that the bill be read a second time forthwith; and that the fortieth rule of this House be dispensed with for that purpose.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Murney in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow

Ordered—That the bill be engrossed and read a third time to-morrow.

Sel. com. on petition of D. B. O. Ford report Escott Mining Co. bill.

Mr. Morris, from the select committee to which was referred the petition of David B. O. Ford, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same.

Bill read.

The report was received, and the bill was read the first time.

Ordered—That the Escott Mining Company bill be read a second time to-morrow. 2d reading to-morrow.

Mr. Bockus, from the committee on Finance, presented, as a second report, the draft of a bill. Com. on finance report Auctioneers' Licence bill.

The report was received, and the Auctioneers' Licence bill was read the first time. Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Morris, moves that the bill be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Merritt in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Mr. Thomson, from the select committee to which were referred the petitions of J. Gilleland and others, and George Miller and others, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same. Sel. com. on petitions of J. Gilleland and others, and G. Miller and others, report bill to convey old roads.

The report was received, and the bill was read the first time. Bill read.

Ordered—That the bill to provide for the conveyance of old roads be read a second time to-morrow. 2d reading to-morrow.

Mr. Speaker reported that Mr. Secretary Murdoch had, on Saturday last, brought down from His Excellency the Governor General several messages and documents. Speaker reports message from Gov. General

The messages were read by the Speaker, as follows :

C. POULETT THOMSON:

The Governor General transmits, herewith, in compliance with the Address of the House of Assembly of the 21st instant, the appendices to the reports* transmitted to the House, of the commissioners appointed to inquire into the Public Departments, together with the report of the commissioners on the Militia System and the Office of the Adjutant General of Militia. Message, with appendices to reports on public departments, And report on Adjutant General's office.

Toronto,
First day of February, 1840.

C. POULETT THOMSON:

With reference to the address from the House of Assembly to the Lieutenant Governor, of the 9th of May, 1839, requesting that persons might be appointed to investigate and expenses attending such proceeding, the Governor General transmits, herewith, for the consideration of the House, a report made to him on the 27th instant, by the commissioners appointed in conformity with that address, praying that a sum of £700 currency may be issued to their Secretary to cover the expenses of the commission. The Governor General would therefore recommend to the House to make provision for this sum. Message, with return of expenses of commission on public departments.

Toronto,
Thirty-first day of January, 1840.

* Inspector General, Agent for the Sale of Clergy Reserves,
Surveyor General of Woods and Forests, Secretary of the Clergy Corporation,
Commissioner of Crown Lands, Receiver General,
Surveyor General of Lands, Courts of Requests,
Chief Agent for Emigration.

C. POULETT THOMSON:

Message, with further
return from Canada Co.

With reference to his message of the 8th instant, the Governor General transmits to the House of Assembly, herewith, a supplementary return received from the Commissioners of the Canada Company, completing the information respecting the proceedings of the Company required by the address from the House.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

Message, with minutes
of King's College
Council.

In compliance with the address of the House of Assembly, of the 14th instant, the Governor General transmits to them, herewith, copies of the minutes of the Council of King's College, for the year 1839.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

Message, with further
report of commission on
losses by the rebellion.

The Governor General transmits, for the consideration of the House of Assembly, a report of the Commissioners appointed under the Statute 1st Victoria, ch. 13, to investigate the claims of certain inhabitants of this Province for losses sustained during the late unnatural rebellion, made with a view to the correction of an error in their report which was laid before the House in their last session, relative to the claim of a female sufferer named Jane Mulligan.

Toronto,
Thirty-first day of January, 1840.

C. POULETT THOMSON:

Message respecting
certain medals.

With reference to the address from the House of Assembly of the 8th instant, the Governor General has to state that in order to procure the information requested by them relative to the Gold and Silver Medals sent to this country to be distributed among the Militia who defended it during the last war, he directed a letter to be addressed to the President of the Bank of Upper Canada, in whose custody those Medals were stated to be. Having, however, been informed by that officer that there was no record in the Bank of the person by whom the Medals were lodged there, or any other information respecting them, His Excellency directed a letter to be addressed to the Honorable William Allan, who had acted as a member of the "Loyal and Patriotic Society," established in this country during the war, and who was said to be well acquainted with the circumstances.

The accompanying letter, and its enclosure, have been received from Mr. Allan in reply, and the Governor General transmits them, herewith, to the House of Assembly, as supplying the only particulars which he is able to furnish in answer to the address of the House.

Toronto,
First day of February, 1840.

For *Appendices to Reports on Public Departments.*

Return of Expenses of Commission on do.

Supplementary Return from Canada Company.

Minutes of King's College Council.

*Further Report from Commissioners on claims for Losses, and,
Communication respecting certain Medals—See Appendix.*

Pursuant to the order of the day, the bill to consolidate the several turnpike trusts was read the second time.

Turnpike trust bill read 2d time and committed

The House was put into a committee of the whole on the bill.

Mr. Hunter in the chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The committee resumed.

Mr. Marks in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

Ordered— That the bill be engrossed and read a third time on Wednesday next.

3d reading Wednesday.

Mr. Speaker reported that the Clerk of the Honorable the Legislative Council had brought down from that Honorable House, several messages, and the bill entitled, "An Act to alter and amend an Act passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled, 'An Act to establish the Winchester measure throughout this Province,'" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Speaker reports Messages from Leg. Council

Standard measure regulation bill sent down amended.

The messages were read, as follows:

Messages.

MR. SPEAKER:

The Honorable Mr. Burnham has leave to attend a select committee of the Commons House of Assembly, as desired by their message received this day, if he thinks fit.

Leave to Hon. Mr. Burnham to attend select committee.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
First day of February, 1840. }

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to authorize the levying an additional rate on the inhabitants of the Midland District for the payment of the debt of the District, and for other purposes therein mentioned;" also the bill entitled "An Act to increase the Capital Stock of the Port Hope Harbor Company, and to extend the period for completing the said Harbor;" also the bill entitled "An Act to authorize Her Majesty to take possession of lands for the erection of fortifications in this Province under certain restrictions;" and also the bill entitled "An Act granting a further sum of three hundred and fifty-nine pounds for completing the bridge over the River Thames at Chatham in the Western District;" without any amendment.

Midland District tax bill,
Port Hope Harbor stock increase bill,
Bill to grant land for fortifications, and Chatham bridge completion bill,
passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Third day of February, 1840. }

MR. SPEAKER:

The Legislative Council have adopted the accompanying resolution, which, together with the petition of Lewis Bright, they herewith transmit for the consideration of the Commons House of Assembly.

Message transmitting resolution and petition of L. Bright.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Third day of February, 1840. }

Resolution of Legislative Council respecting Lewis Bright.

"Resolved, That from the long and faithful services of Lewis Bright, Messenger of this House, and his advanced age, this House is of opinion that he should be permitted to retire from the further discharge of the duties of his situation, and strongly recommend his petition to the favorable consideration of the House of Assembly."

Truly extracted from the Journal of the Legislative Council, of Monday, the third day of February, 1840.

J. JOSEPH,
Clerk.

(Copy.)

To the Honorable the Legislative Council.

The petition of LEWIS BRIGHT, Messenger of your Honorable House,

HUMBLY SHEWETH:

That your petitioner is in the ninety-third year of his age, and has been in the service of your Honorable House since the year 1812.

That from his increasing infirmities, he is unable longer to discharge the duties of his situation, and fearing that he might be left destitute, he was advised that the proper course of proceeding was, in the first place, to address the Governor General, praying His Excellency to take the necessary measures for obtaining him a pension, to such amount as the Honorable Legislature might think fit to award him.

To this end, your petitioner addressed a memorial to His Excellency the Governor General, stating his past services, and praying His Excellency to take such measures as His Excellency might deem proper for his maintenance, during the short remainder of his life, a copy of which memorial your petitioner humbly subjoins.

Your petitioner, however, has since learnt that the proper way of proceeding, to obtain a pension, for his past services, is to address your Honors, and request of your Honorable House to take his case into consideration, and recommend the same to the gracious consideration of the House of Assembly; your petitioner having reason to believe that the Executive Government will be favorably inclined to his application.

Your petitioner, therefore, humbly prays your Honorable House to take such measures in his behalf as may provide for his support, now that he can no longer obtain it by his own exertions.

And your humble and aged petitioner will ever pray.

(Signed) L. BRIGHT.

(Copy.)

*To His Excellency The Right Honorable CHARLES POULETT THOMSON,
Governor General of British North America, and Captain General
and Governor-in-Chief in and over the Provinces of Upper Canada,
Lower Canada, Nova Scotia, New Brunswick, and the Island of
Prince Edward, and Vice Admiral of the same.*

MAY IT PLEASE YOUR EXCELLENCY,

Lewis Bright, an old and faithful subject of Her most gracious Majesty, who has reached the ninety-second year of his age, and who has served his Sovereign for sixty-four years, humbly approaches Your Excellency, with the prayer that he may not be left destitute for the remnant of his days, and now that he is about to be discharged from the employment that has hitherto afforded him and his aged wife the mean of subsistence, he trusts that the step may not be taken without granting him such a pension as the liberality of Your Excellency, and the justice of his claim, will warrant.

Your Excellency's petitioner humbly represents, that he was born in Bilton, Gloucestershire, England, on the 25th day of December, 1747; that his parents died when he was seven years old; that in the year 1775, he enlisted as a soldier in the 47th regiment of foot, and embarked for America, and served from the commencement to the conclusion of the contest, which resulted in the independence of the colonies; during which period he was present at many engagements and the capture of

Copy of petition of Lewis Bright to Legislative Council.

Copy of petition of Lewis Bright to Governor General.

numerous fortresses; he received three wounds at the battle of Hobert Town, and was taken prisoner at the landing of Lake George, while accompanying Captain England, who was entrusted with important despatches by General Burgoyne for General Powell, and which despatches were placed in your petitioner's custody; after being put in confinement, he killed the sentinel set over him, made his escape, and delivered his despatches to General Powell, at Mount Independence.

During his subsequent career, he served at the frontier fortresses of Niagara, Detroit, Michilimackinack, and volunteered on the expedition into Kentucky, under Colonel Collville, in the course of which five hundred prisoners were captured, and two forts were taken.

In 1784, he was discharged from the service, and, in 1786, he married his wife, now seventy-two years of age, who is still living; ten years afterwards, he enlisted again in the Royal Canadian Volunteers, in which regiment he served his Sovereign for six years, when he was discharged.

Having taken up his residence in this city, he was, in 1812, appointed Messenger of the Honorable the Legislative Council, (at a salary of forty pounds, currency, each session), in which situation he has served ever since; during the recess, he was likewise allowed half a dollar a day, thus making his income amount, on an average, to between seventy and eighty pounds per annum.

In the year 1812, when this city was taken by the American army, he turned out in its defence, and purchased his own ammunition and arms, they having been refused to him on account of his age.

Your petitioner, likewise, turned out on the 4th of December, 1837, and was directed to take charge of the rooms and offices of the Legislative Council, which were then in a state of great confusion from their being occupied by the militia; during his charge of the buildings, nothing was injured and nothing lost, except his own fusce, which one of the loyal militia, he believes, took away by mistake.

Your Excellency's memorialist further begs to state, that he is the father of sixteen children, eight sons and eight daughters, and that the taint of disloyalty never attached to his name or race. Three of his sons volunteered to accompany the brave and lamented General Brock to Detroit, and continued under his command until the time of his death.

In the year 1836, a resolution was passed by the Legislative Council, increasing his salary to £62 10s. per session, making, together with his payment for services during the recess, an income, on the average, of one hundred pounds a year. He was informed, at the time of the increase of his salary, in 1836, that he might retire from further labour, on full pay, whenever he chose; but your memorialist continues still in charge of the chamber and furniture of the Legislative Council, at the special request of the Honorable the Chief Justice, Speaker of the House, now absent in England.

Submitting, with respectful humility, to Your Excellency's judgment, upon his claim, Your Excellency's petitioner offers his humble prayer for Your Excellency's happiness, and that your labors may result in honor to yourself, and benefit to your country.

(Signed) L. BRIGHT.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to alter and amend an Act passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled, 'An Act to establish the Winchester measure throughout this Province,'" were read the first time, as follows:

Amendments to standard measure bill read first time.

Press 2, Line 9—After "that," insert "so much of."

Amendments.

" 2, " 10—After "Act," expunge to "that," in line 11, and insert "as enacts."

" 2, " 12—After "informers," insert "be and the same is hereby repealed. 3:" after "and," insert "be it further enacted by the authority aforesaid."

" 2, " 18—After "considered," insert "prima facie."

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Third day of February, 1840. }

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the resolution of the Legislative Council, and the petition of Lewis Bright, be referred to a committee of supply.

Resolution of L. C. and petition of L. Bright referred to supply.

Mr. Attorney General, seconded by Mr. Burwell, moves for leave to bring in a bill to regulate the duties on stills in this province, and that the thirty-first rule of this House be dispensed with in respect to the same.

Still duty bill (2d) brought in.

- Bill read. Which was granted, and the bill was read the first time.
On the question for the second reading of the bill to-morrow,
In amendment—Mr. Attorney General, seconded by Mr. Burwell, moves that the bill be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.
- Bill read second time and committed. Which was carried, and the bill was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Salmon in the chair.
The House resumed.
- Bill reported. The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
The report was received.
Ordered—That the bill be engrossed and read a third time to-morrow.
- 3d reading to-morrow. Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to restrain the introduction of spirituous liquors into the common gaols of this province," were read the second time.
The House was put into a committee of the whole on the amendments.
Mr. Small in the chair.
The House resumed.
- Amendments to bill to prevent liquors entering gaols read second time and committed. The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.
The report was received.
- Amendments agreed to. *Ordered*—That the amendments be read a third time to-morrow.
- 3d reading to-morrow. On motion of Mr. Small, seconded by Mr. Parke,
Ordered—That the same number of the appendices to the report of the Special Commission appointed to investigate the public departments of this Province be printed as were ordered to be printed of the reports, with marginal notes.
- Order for printing appendices to reports of commissioners. Pursuant to the order of the day, the Supply bill was read the third time and passed.
- Supply bill read third time and passed. Mr. Bockus, seconded by Mr. Robinson, moves that the bill be entitled "An Act granting to Her Majesty a certain sum of money to defray the expenses of the Civil Government for the year 1840."
Which was carried, and Messrs. Bockus and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Title. Pursuant to notice, Mr. Shade, seconded by Mr. Aikman, moves that it be
Resolved—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint a commission, consisting of not less than three efficient persons, to investigate and enquire into the affairs of the Canada Company, and how far their business has been carried on in accordance with the terms of their charter, and into the expenditure so far as connected with the Government; and that Messrs. Rykert and Ferrie be a committee to draft and report said address.
- Bill sent to Leg. Council. On which the yeas and nays were taken, as follows:
- Motion for address to Gov. General to appoint commission on Canada Company's affairs.
- Division.
- Yeas—25. Messrs. Aikman, Armstrong, Burrill, Caldwell, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Cook, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Morris, Murney, Parke, Rykert, Salmon, Shade, Shaver, Sherwood, Thomson, Thorburn, Woodruff—25.

Y E A S .

N A Y S.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Gamble, Malloch, Manahan, McCargar, McDonell of Glengarry, Robinson, Small, Solicitor General*—12. Nays—12.

The question was carried in the affirmative by a majority of thirteen, and ordered accordingly. Carried—majority 13.

Pursuant to the order of the day, the address to Her Majesty on wheat was read the second time. Address to Her Majesty on wheat read second time and committed.

The House was put into a committee of the whole on the same.

Mr. Aikman in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House. Address reported.

The report was received.

Ordered—That the address be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the bill to provide for the instruction of the deaf and dumb was read the second time. Bill for instruction of deaf and dumb read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. McCargar in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the bill to regulate the weight of salt was read the second time. Salt weight bill read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Solicitor General in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Adjourned.

TUESDAY, 4th February, 1840.

The House met.

The minutes of Saturday were read.

The following petitions were severally brought up and laid on the table: *Petitions brought up:*

By Mr. Rykert, the petition of Samuel Smith Junkin, of the City of Toronto. S. S. Junkin.

And by Mr. Shade, the petition of F. G. Millar, and twenty-five others, of the township of Waterloo, in the District of Gore; and the petition of H. W. Peterson, J. P., and sixty-four others, of the same place. F. G. Millar and 25 others. H. W. Peterson and 64 others.

Bill to remunerate Receiver General read 3d time and passed.
Title.

Pursuant to the order of the day, the bill to remunerate the Receiver General for certain services, was read the third time and passed.

Mr. Bockus, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to remunerate the Honorable John Henry Dunn for services rendered to this Province.'"

Bill sent to Leg. Council

Which was carried, and Messieurs Bockus and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to repay balance due certain bankers read 3d time and passed.
Title.

Pursuant to the order of the day, the bill to repay the balance due to certain Bankers in London, was read the third time and passed.

Mr. Bockus, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to authorise the Receiver General of this Province to borrow a certain sum of money upon debentures, for the purposes therein mentioned."

Bill sent to Leg. Council

Which was carried, and Messieurs Bockus and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Auctioneers' licence bill read 3d time and passed

Pursuant to the order of the day, the Auctioneers' Licence bill was read the third time and passed.

Title.

Mr. Bockus, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to revive and make perpetual an Act granting to Her Majesty a duty on Licences to Auctioneers, and on goods, wares and merchandize sold by auction."

Bill sent to Leg. Council

Which was carried, and Messieurs Bockus and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Still duty bill (2d) read 3d time and passed.

Pursuant to the order of the day, the Still Licence bill was read the third time and passed.

Title.

Mr. Robinson, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to authorise certain duties to be imposed and collected on wooden Stills within this Province, and for other purposes therein mentioned."

Bill sent to Leg. Council

Which was carried, and Messieurs Robinson and Bockus were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to bill to prevent liquors entering gaols read third time and passed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to restrain the introduction of spirituous liquors into the common gaols of this province," were read the third time and passed.

Messieurs Morris and Bockus were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Address to Her Majesty on wheat read 3d time.

Pursuant to the order of the day, the address to Her Majesty on wheat was read the third time.

Division on passing.

On the question for passing the same the yeas and nays were taken as follows:

Y E A S.

Yeas—31.

Messrs. Aikman, Bockus, Boulton, Burrill, Burwell, Chisholm of Glengarry, Cook, Duncombe, Elliott, Ferric, Hotham, Manahan, Marks, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Stormont, McIntosh, McMicking, Merritt, Morris, Murney, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Small, Woodruff—31.

N A Y.

Nay—1.

Mr. Gowan—1.

Passed—majority 30.

The question was carried in the affirmative by a majority of thirty, and the address was passed, and is as follows:

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully represent, that a large proportion of the inhabitants of this Province are agriculturists, that the principal staple article grown for exportation is wheat. Address.

That in most countries this branch of wealth and industry receives the first consideration of the government, with us it has been wholly neglected, and they beg most earnestly to call the attention of Your Majesty's Government to the practical operations of the Canada Trade Act, which has a tendency to confer advantages to the grower of wheat in the United States, which can never be realized by the grower in Canada; and so long as the grower in the United States is protected by a duty for home consumption, from all foreign competition, and so long as the grower in Canada is liable to such competition, without a protecting duty, so long will this inequality of prices exist, operating as a direct bounty to the farmer residing in the United States, and a drawback on the farmer residing in Canada.

As a practical illustration of this principle they beg leave to represent, that whenever bread-stuffs are higher in America than in Europe, the price of wheat in the United States is nearly twenty-five per cent higher than in Canada, which has been witnessed for the last four or five years, during this period wheat has been introduced from Russia, at the port of Quebec, at a less rate of freight than the same article can be sent from Upper Canada.

That whenever bread-stuffs are cheaper in England than in America, and an export demand takes place, the agriculturist, in Canada, derives no additional advantage from a home consumption, inasmuch as wheat and flour, from the neighboring States, is introduced without duty, and must always have a tendency to keep the article grown in Canada at the lowest prices, thus depriving agriculturists of the benefit of home consumption, for the timber trade, shipping interest, troops, or any adventitious circumstances, to increase the products of the soil.

For instance, during the present year, one-half of the crop in Canada was destroyed by the rust, still the remainder commanded no higher price, than if the grower had obtained a full crop, three and nine-pence to five shillings being the highest price the article can command at this moment.

Your Majesty's faithful Commons are aware that the products of these Colonies are admitted into the ports of the Mother Country at a duty of five shillings per quarter, when wheat is below an average of sixty-seven shillings per quarter, but from the expenses of transportation from the interior to the sea, and thence to the United Kingdom, experience proves they derive very little advantage from this protection.

A preference is also given to our products when admitted into the West India Colonies, but from the causes above stated, and their proximity to the southern ports on the American continent, no practical benefit is derived.

The duties in the maritime ports, in the North American Colonies, are equally unavailing, from their being evaded by the clause protecting the fisheries.

Your Majesty's faithful Commons, therefore, pray that the Canada Trade Act may be so amended as to place the same duty on foreign grain and flour, imported for home consumption into British North America, which wheat, the growth of these Colonies, pays, when introduced into the ports of the United States, which will place the grower in those Colonies on a footing of perfect reciprocity with the grower in that country. Not, however, to interfere with the introduction of grain passing through our waters, to foreign ports. As at present, the inhabitants of this Province are and must continue to be consumers of British manufactures, their trade is naturally directed to her ports, their exports and imports are conveyed by British shipping, and whatever increase of price we derive from the products of our soil, will in like proportion enable us to increase the amount of our importations in her fabrics, without materially interfering with the agriculturists of Great Britain.

Your Majesty's faithful Commons, therefore, pray that wheat and flour, the growth and manufacture of these Provinces, may be admitted into the ports of Great Britain, on the same terms as from Ireland, or other integral ports of the Empire.

While on this subject, Your Majesty's faithful Commons beg to call the attention of Your Majesty's Government to the operation of the Canada Trade Act, on various articles introduced for consumption from beyond sea. From the peculiar geographical situation of those Colonies, any restriction or higher duty imposed on any one article at the port of Quebec, than at the port of New York, has a tendency to introduce the article through the latter, thus, conferring greater advantages on our rivals than they could effect by any enactment of their own, the fluctuations in their tariffs render it necessary they should be counteracted from time to time by a reduction in duties at Quebec, and increasing them in the interior, so as not only to confine the trade to our waters, but enable the Provincial Government to secure a revenue now lost by an illicit trade.

Your Majesty's faithful Commons, therefore, pray Your Majesty will be pleased to recommend to Your Parliament to amend the forty-sixth clause of the Constitutional Act, to enable the local Legislature to originate duties, or reduce them, from time to time, as they may deem necessary and advisable, subject, however, to restrictions similar to those of forty-second section, of thirty-first George Third, chapter thirty-one, respecting certain local Acts.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Fourth day of February, 1840. }

Bill to instruct deaf and dumb read 3d time

Pursuant to the order of the day, the bill to provide for the instruction of the deaf and dumb was read the third time.

Division on passing.

On the question for passing the bill, the yeas and nays were taken as follows:

Y E A S .

Yeas—14.

Messrs. *Boulton, Burwell, Cartwright, Hotham, Hunter, Manahan, Marks, McDonell of Glengarry, McLean, Murney, Salmon, Shade, Sherwood, Solicitor General*—14.

N A Y S .

Nays—23.

Messrs. *Aikman, Attorney General, Bockus, Burritt, Caldwell, Chisholm of Halton, Chisholm of Glengarry, Cook, Duncombe, Gamble, Gowan, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Richardson, Robinson, Ruttan, Rykert, Shaver, Small, Woodruff*—23.

Lost—majority 14.

The question was decided in the negative by a majority of fourteen.

Salt weight bill read third time.

Pursuant to the order of the day, the bill to regulate the weight of salt was read the third time.

On question for passing.

On the question for passing the bill,

Amendment moved.

In amendment—Mr. Bockus, seconded by Mr. Shaver, moves that the bill do not now pass, but that it be amended by expunging the words "fifty-six pounds," and inserting the words "seventy pounds."

Division on amendment

On which the yeas and nays were taken, as follows:

Y E A S .

Yeas—14.

Messrs. *Bockus, Burritt, Chisholm of Glengarry, Cook, Duncombe, Manahan, McCargar, McDonell of Stormont, McIntosh, Moore, Morris, Parke, Powell, Shaver*—14.

N A Y S .

Nays—23.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cartwright, Chisholm of Halton, Elliott, Ferrie, Gamble, Kearnes, Marks, Mathewson, McDonell of Glengarry, McDonell of Northumberland, McKay, McLean, McMicking, Merritt, Richardson, Robinson, Ruttan, Rykert, Salmon, Shade, Small, Solicitor General, Woodruff*—23.

Amendment lost—majority 14.
Bill passed.

The question of amendment was decided in the negative by a majority of fourteen, and the bill was passed.

Title.

Mr. Bockus, seconded by Mr. Robinson, moves that the bill be entitled "An Act to regulate the weight of salt."

Bill sent to Leg. Council

Which was carried and Messrs. Bockus and Robinson, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto

Petitions read:
W. Lowell and 64 others.

Pursuant to the order of the day, the petition of William Lowell, and sixty-four others, of the district of Niagara, praying for the grant of a further sum of money to improve the Great Canboro' road, was read.

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of J. F. Taylor be now read, and that the forty-first rule of this House be dispensed with so far as it relates to the same.

J. F. Taylor (2d).

Which was carried, and the petition of John Fennings Taylor, stating that he was appointed clerk to the several commissions for the trial of state prisoners in the districts of London and Niagara, and praying remuneration for his services in that capacity, and also that his travelling expenses may be allowed, was read.

Mr. Rykert, seconded by Mr. Sherwood, moves that the petition of Samuel Smith Junkin, be now read, and that the forty-first rule of this House be dispensed with so far as it relates to the same.

Which was carried, and the petition of Samuel Smith Junkin, of the city of Toronto, praying remuneration for reporting the debates during the second Session of the Twelfth Parliament, was read.

S. S. Junkin.

On motion of Mr. Rykert, seconded by Mr. Merritt,

Ordered—That the petition of Samuel Smith Junkin be referred to the Printing Committee, with power to report thereon by resolution or otherwise.

Petitions referred:
Of S. S. Junkin to com. on printing.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the petition of J. F. Taylor be referred to the committee to whom was referred the petition of C. C. Small, Esquire, with power to report thereon.

Of J. F. Taylor (2d) to committee on petition of C. C. Small.

On motion of Mr. Sherwood, seconded by Mr. Merritt,

Ordered—That the report of the select committee on the petition of Alpheus Todd be referred to the committee of supply.

Report on petition of A. Todd referred to supply

Mr. Mathewson gives notice that he will, on to-morrow, move that this House do resolve itself into a committee of the whole on supply, to increase the salary of the Assistant Adjutant General.

Notices:
Of com. of supply on Assistant Adjutant General's salary.

Mr. McDonell, of *Glengarry*, gives notice that he will, on to-morrow, move that it be *Resolved*—That the able and statesman-like manner in which His Excellency the Governor General has administered the government of this province since his arrival in it, is calculated to allay the feelings of discord and discontent which have for some years past disturbed the tranquillity of the country, and has secured to His Excellency the confidence and gratitude of the people of this province.

Of resolution approving of Governor General's administration of government.

Mr. Sherwood, from the select committee to which were referred the petitions of W. Kingsmill, Collector of Customs at Port Hope, and W. Chisholm, Collector of Customs at Oakville, presented a report, which was received and read, as follows:

Sel. com. on petition of W. Kingsmill and of W. Chisholm pres ent report.

To the Honorable the Commons House of Assembly:

The committee to which were referred the petitions of William Kingsmill, Esquire, Collector of Customs for the Port of Port Hope, in the Newcastle District; and William Chisholm, Esquire, collector of customs for the Port of Oakville in the district of Gore, beg leave to report:—

Report.

That they have inquired into the subject matters contained in the said petitions, and are of opinion that the relief prayed for should be extended to the said petitioners in this instance, and that a law should be passed giving power to the Executive Government to afford it. It appears that Mr. Kingsmill has been, and still is, employed on service in the Militia at Niagara, and that the duties of his office are performed by a deputy, who neglected to transmit the amount of duties received at his port for the quarters ending the 30th June and 30th September, 1839, within the period of forty days, as prescribed by the 4th Geo. IV., chap. 11, sec. 7, and that in consequence of such neglect, Mr. Kingsmill has been deprived of his per centage on the duties received during the said periods, amounting to £81 5s. It also appears that the full amount of duties during the said periods, have been paid into the hands of the Receiver General.

The amount of per centage which has been disallowed to Mr. Chisholm, is £100, on account of his neglect in not making his returns during the Fall of 1837, and the Spring of 1838. Both he and his deputy were engaged during this period in the defence of this Province, having promptly come forward, with others, to crush the rebellion which broke out in December, 1837. Mr. Chisholm has paid into the hands of the Receiver General, the duties collected during that time, except the amount of his aforesaid per centage. Your committee, under the circumstances of the above cases, recommend that a law be passed giving power to to the Executive Government to afford said relief.

All which is respectfully submitted.

HENRY SHERWOOD,
CHAIRMAN.

Committee Room, House of Assembly, }
4th February, 1840. }

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General, for the appointment of a commission on the affairs of the Canada Company, reported a draft, which was received and read the first time.

Com. report address to Gov. General for commission on Canada Company's affairs. Address read.

- On the question for the second reading of the address to-morrow,
In amendment—Mr. Shade, seconded by Mr. Rykert, moves that the address be not read a second time to-morrow, but that it be read a second time this day.
 Which was carried, and the address was read the second time.
 The House was put into a committee of the whole on the same.
 Mr. Marks in the chair.
 The House resumed.
- Address read second time and committed. Address reported. The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House.
 The report was received.
- 3d reading to-day. *Ordered*—That the address be engrossed and read a third time this day.
 Pursuant to the order of the day, the address to His Excellency the Governor General, on the subject of the Rideau Canal, was read the second time.
 The House was put into a committee of the whole on the same.
 Mr. Shade in the chair.
- Address to Governor General on Rideau Canal read second time and committed. Black Rod. Mr. Speaker resumed the chair, Black Rod being at the door.
 Mr. Speaker left the chair.
 The chairman resumed the chair of committee.
 The House resumed.
- Address reported. The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House.
 The report was received.
- 3d reading to-morrow. *Ordered*—That the address be engrossed and read a third time to-morrow.
 Mr. Attorney General, from the select committee on expiring laws, reported the drafts of three bills.
 The report was received.
- Sel. com. on expiring laws report three bills. Inn-keepers' licence bill read first time. The Innkeepers' Licence bill was read the first time.
 On the question for the second reading of the bill to-morrow,
In amendment—Mr. Attorney General, seconded by Mr. Burwell, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.
 Which was carried, and the bill was read the second time.
 The House was put into a committee of the whole on the bill.
 Mr. Boulton in the chair.
 The House resumed.
- Bill read second time and committed. Bill reported. The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
 The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
 The bill to continue the act for preventing the sale of spirituous liquors to Indians was read the first time.
 On the question for the second reading of the bill to-morrow,
In amendment—Mr. Attorney General, seconded by Mr. Burwell, moves that the bill be read a second time this day, and that the fortieth rule of this House be dispensed with so far as it relates thereto.
 Which was carried, and the bill was read the second time.
- Bill to prevent sale of liquors to Indians read first time. Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

The bill to continue the act granting a salary to the Clerk of the Crown in Chancery was read the first time. Clerk of Crown in Chancery's salary bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Attorney General, seconded by Mr. Burwell, moves that the bill be read a second time this day, and that the fortieth rule of this House be dispensed with so far as relates to this bill.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Gowan in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to notice, Mr. Prince, seconded by Mr. Burwell, moves for leave to bring in an address to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament to grant a sum of money sufficient to indemnify this Province from loss, in consequence of the late invasions by persons from the United States of America. Address to Her Majesty on indemnifying sufferers by the rebellion brought in.

Which was granted, and the address was read the first time.

Address read.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Prince, seconded by Mr. Burwell, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Which was carried, and the address was read the second time.

Address read second time and committed.

The House was put into a committee of the whole on the same.

Mr. Sherwood in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House. Address reported.

The report was received.

On the question for the third reading of the address to-morrow,

In amendment—Mr. Prince, seconded by Mr. Burwell, moves that the address to Her Majesty be not read a third time to-morrow, but that it be read a third time this day.

Which was carried, and the address was ordered to be engrossed and read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the Escott Mining Company bill was read the second time. Escott Mining Company bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Ferrie in the chair.

The House resumed.

- Bill reported. The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Bill to repeal Chancery Act brought in. Pursuant to notice, Mr. Murney, seconded by Mr. Manahan, moves for leave to bring in a bill to repeal the Act entitled "An Act to establish a Court of Chancery within this Province."
- Bill read. Which was granted, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill be read a second time to-morrow.
- Com. of supply on report on petition of R. Reynolds and others. Mr. Boulton, seconded by Mr. Ruttan, moves that the House do resolve itself into a committee of supply forthwith, on the report of the committee, on the petition of Robert Reynolds and others.
Which was carried, and the House was put into a committee of supply on the same.
Mr. McDonell, of *Glengarry*, in the chair.
The House resumed.
- Resolution reported. The chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.
The report was received.
The resolution was put and carried, as follows :
- Resolution—(Duty on imports.) *Resolved*—That it is expedient to impose the like duty on wheat, flour, pork, and beef, imported into this Province from the United States, as is now imposed on the like articles imported into the United States from this Province.
On motion of Mr. Boulton, seconded by Mr. Armstrong,
- Committee to draft bill on resolution. *Ordered*—That the resolution of this House on the subject of certain articles imported into this Province from the United States, be referred to a select committee, to draft and report a bill in pursuance of such resolution, and that Messrs. Chisholm, of *Halton*, Prince, and Merritt, do compose such committee.
- Address to Her Majesty on indemnifying sufferers by rebellion read 3d time and passed. Pursuant to the order of the day, the address to Her Majesty respecting the indemnification of sufferers by the late invasions, &c., was read the third time and passed, and is as follows:—

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:

Address.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to renew to Your Majesty our assurance of dutiful and loyal attachment to Your Majesty's person and throne.

We beg, further, humbly to call to Your Majesty's attention that, during the last Session of the Legislature, an Act was passed and reserved for the signification of Your Majesty's pleasure, entitled, "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasion of this Province."

That during this Session we have been informed, by message, from the Right Honorable the Governor General, that Your Majesty's Government felt it impossible to advise Your Majesty to assent to the bill, because the terms of the preamble conveyed a pledge that the charge of this indemnity should be ultimately borne by the British Treasury, which was considered to involve a principle too important to be incidentally recognised, even if it were right to admit it at all; and the admission whereof, by Your Majesty, should, it is stated, be preceded by the sanction of the Imperial Parliament, but that a bill for the same object, omitting the preamble, would at once receive the royal assent.

Influenced by the pressing exigency of the case, and knowing the utter ruin which delay, in making this indemnity, will occasion to the sufferers within this Province, we have passed an Act for their particular relief; but we feel it our bounden duty, humbly to address Your Majesty, on the justice and propriety of relieving Your Majesty's dutiful and loyal subjects in Upper Canada, from the burden thus incurred. When the unprovoked aggressions and invasions of our shores, by a foreign country, (a country, too, professedly at peace with Your Majesty), first took place, Your Majesty's subjects in this Province were left without the protection of any military force. The troops had been withdrawn for the safety of Lower Canada, and the apparently defenceless state of the Province, no doubt greatly encouraged the hopes of our invaders. It is well known to Your Majesty

how, and by whom, the lawless invaders of Your Majesty's dominions here were promptly met and repelled, and also how and by whom the rebellion in this Province was suppressed, and the loyalty and attachment of the Upper Canadian people vindicated from the aspersions of the disaffected to Your Majesty's crown and person.

Notwithstanding their defeat, the fugitive traitors from this Province, finding an asylum in a neighboring country, and receiving countenance and assistance from many of its inhabitants, continued their efforts against Your Majesty's Royal Authority—and on various occasions, and at different places, repeated invasions of the most hostile nature were made on Upper Canada by large bodies of citizens from foreign countries at peace with Your Majesty—in connexion with the aforesaid traitors.

In the earliest of their aggressions, Your Majesty's dutiful and loyal subjects were left to their own courage and energies, without the aid of a sufficient regular military force to maintain Your Majesty's Sovereignty in Upper Canada, and thrown upon their own resources,—and in their strenuous and successful efforts for this object, the sacrifice and loss of property chiefly occurred, and for which indemnity is now (as we, with all humility, conceive,) so justly claimed.

We respectfully submit to Your Majesty's most gracious consideration that losses so incurred, and sacrifices so made, should receive their indemnity from the Empire in whose behalf they arose, and that the people whose zeal and loyalty alone exposed them to such hazard and loss should not also be taxed to relieve the sufferers.

We further humbly beg Your Majesty's gracious attention to the fact—that in providing from our own resources for the pensioning of the wounded, and of the widows and children of the slain, in resisting those hostilities, we have shewn our readiness to assume every reasonable charge, and that having thus cheerfully met both the danger and loss arising from personal exertions, we ought not to be left unassisted with regard to loss of property. After the late war with the United States, the Imperial Parliament authorised a payment to be made to sufferers from invasion, and we dutifully submit that the reasons for that grant apply with increased force in support of the present application.

We therefore pray Your Majesty to take this matter into your most favorable consideration, and to submit it to Your Parliament with a recommendation in favor of our claims.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Fourth day of February, 1840. }

Pursuant to the order of the day, the House was again put into a committee of the whole on the address to His Excellency the Governor General, in behalf of Messieurs Baines and Thornhill.

Com. of whole on address on behalf of Messrs. Baines and Thornhill.

Mr. McCargar in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

Address reported amended.

The report was received.

Ordered—That the address be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to notice, Mr. Richardson, seconded by Mr. Chisholm of *Halton*, moves for leave to bring in a bill to abolish imprisonment for debt in this province, except in cases of fraud.

Bill to abolish imprisonment for debt brought in

Which was granted, and the bill was read the first time.

Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Richardson, seconded by Mr. Chisholm of *Halton*, moves that the bill to abolish imprisonment for debt, except in cases of fraud, be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. McMicking in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Ordnance Estates' bill brought in.

Pursuant to notice, Mr. Attorney General, seconded by Mr. Solicitor General, moves for leave to bring in a bill to authorise the Ordnance Department to hold real estate in this province.

Bill read.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill to-morrow.

In amendment—Mr. Attorney General, seconded by Mr. Solicitor General, moves that the bill be read a second time this day, and that the fortieth rule of this House be dispensed with, in respect to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Morris in the chair.

The House resumed.

Committee rises.

The chairman reported that the committee had risen.

Division on receiving report.

On the question for receiving the report, the yeas and nays were taken as follows:—

YEAS.

Yeas—34.

Messrs. *Aikman, Armstrong, Bockus, Burritt, Caldwell, Chisholm* of Halton, *Cook, Ferrie, Gamble, Hotham, Hunter, Malloch, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McKay, McLean, McMicking, Merritt, Morris, Murney, Parke, Prince, Richardson, Robinson, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—34.

NAYS.

Nays—10.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Chisholm* of Glengarry, *Elliott, Gowan, Kearnes, Mathewson, Ruttan*—10.

Report received—majority 24.

The question was carried in the affirmative by a majority of twenty-four, and the report was received.

Amendments to bill to grant land to Col. Fitz-Gibbon read 2d time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to repeal so much of the first clause of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, "An Act to provide for the disposal of public lands in this province, and for other purposes therein mentioned," as may enable Her Majesty to make a grant of land to James Fitz-Gibbon, Esquire," were read the second time.

Mr. Burwell, seconded by Mr. Merritt, moves that the amendments be now concurred in.

Amendments concurred in.

Which was carried, and the amendments were concurred in.

Messieurs Burwell and Merritt were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Bill to relieve Receiver General from certain responsibility brought in

Pursuant to notice, Mr. Attorney General, seconded by Mr. Burwell, moves for leave to bring in a bill to authorise the Receiver General to replace Debentures inadvertently redcmcd from the funds appropriated to the use and support of common schools.

Bill read.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Attorney General, seconded by Mr. Burwell, moves that the bill be read a second time this day, and that the fortieth rule of this House be dispensed with so far as it relates thereto.

Which was carried, and the bill was read the second time.

Bill read second time
and committed.

The House was put into a committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

The chairman reported that the committee had made some progress, in the bill and asked leave to sit again to-morrow.

Progress reported—sit
again to-morrow.

The report was received, and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Mr. Burwell,

Ordered—That the bill be referred to a select committee, to be composed of Messrs. Sherwood and Thomson, to report thereon.

Bill referred to sel. com.

On motion of Mr. Murney, seconded by Mr. Manahan,

Ordered—That the bill to repeal the act establishing a Court of Chancery be the first item on the order of the day for to-morrow, after receiving reports.

Bill to repeal Chancery
Act to be first item
to-morrow.

Mr. Merritt from the committee to draft a bill pursuant to the resolution of this House for imposing a duty upon foreign produce imported into this Province, reported a draft, which was received and read the first time.

Committee report bill
to lay a duty on foreign
produce.
Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Boulton, seconded by Mr. Chisholm, of *Halton*, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time
and committed.

The House was put into a committee of the whole on the bill.

Mr. Mathewson in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow.

Progress reported—sit
again to-morrow.

The report was received, and leave granted accordingly.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

Ordered—That the bill imposing a duty on certain foreign produce be referred to a select committee, to consist of Messrs. Bockus, Sherwood and Solicitor General, to report thereon by bill.

Bill referred to sel. com.

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents.

Speaker reports mes-
sages from Gov. General

The messages were read by the Speaker, as follows :

C. POULETT THOMSON:

The Governor General has had under his consideration the address from the House of Assembly, of the 9th ultimo, praying that His Excellency would lay before them copies of various documents connected with the claim of Warren Claus, Esquire; and Catharine Lyons, to certain lands said to have been ceded by certain Chiefs of the Six Nations Indians, for the use of the late Colonel Claus.

Message respecting
claims of Col. Claus.

It is at all times the wish of the Governor General to furnish the House of Assembly with every information on matters connected with the public affairs of the Province, which they may require. But it appears to him that the documents requested in their present address from an exception to this general practice, and could not be furnished without giving rise to a precedent of an unusual and inconvenient nature. The House of Assembly are aware that the Indian Tribes in the Canadian Provinces have hitherto been peculiarly under the control of the Representative of the Sovereign in each Province, and that it has ever been considered most important to attach them as much as possible to the Crown, and to teach them to look there for protection.

Their rights have hitherto been invariably upheld by the Executive, and questions between them and other individuals in the Province decided upon solely by that authority.

The objects and advantages of this policy are obvious; but if questions connected with the interests of the Indians should become the subject of appeal in the House of Assembly, there is reason to fear that the connexion which has hitherto subsisted between them and the Executive Government would be loosened, and the influence of the Crown, hitherto exerted successfully for their protection, might be diminished.

Under these circumstances the Governor General feels compelled to decline furnishing to the House of Assembly the documents called for by their address, but he begs, at the same time, to assure them, that the claim of the family of the late Colonel Claus, which has been brought under his notice by the parties, will receive his most attentive consideration.

Toronto,
Fourth day of February, 1840.

C. POULETT THOMSON:

Message, with report of Commissioners Hamilton and Brantford road.

The Governor General transmits herewith, for the information of the House of Assembly, the Report made to him by the Trustees of the Macadamized Road between Hamilton and Brantford, for the year 1839.

Toronto,
Fourth day of February, 1840.

C. POULETT THOMSON:

Message, with petitions respecting losses from the rebellion.

The Governor General transmits, herewith, to the House of Assembly, the petitions of the undermentioned individuals, praying for compensation for losses sustained by them, in consequence of the late disturbances in this Province:—

JOHN SEARLES,
SAMUEL CLIFT,
JOHN VANALLAN,
Mrs. MARY HALL,
EDWARD DURHAM, and others, inhabitants of the
Niagara District.

Toronto,
First day of February, 1840.

For *Report of Contractors, Hamilton and Brantford road, and
Petition from sundry individuals with claims for losses consequent on the
rebellion—See Appendix.*

On motion of Mr. Sherwood, seconded by Mr. Chisholm of *Halton*,

Ordered—That the message of His Excellency the Governor General, upon the subject of the petition of the Claus family, be referred to the committee to whom was referred the petition of Warren Claus and Catharine Lyons.

Mr. Speaker reported that the Clerk of the Honorable the Legislative Council had brought down from that Honorable House two messages, and the bill, entitled, "An Act to confirm and regulate certain sales of land, for taxes, in the District of Ottawa," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The messages were read as follows :

MR. SPEAKER:

The Honorable and Right Reverend the Lord Bishop of Toronto, and the Honorable Messieurs Allan and Crookshank, have leave to attend a select committee of the Commons House of Assembly, as desired by that House in their message received this day, if they think fit.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Third day of February, 1840. }

Message on Col. Claus' claim referred to select committee.

Speaker reports Messages from Leg. Council Ottawa land sale bill sent down amended.

Messages.

Leave to certain Honorables to attend select committee.

MR. SPEAKER :

The Legislative Council have adopted the amendments made by the Commons House of Assembly in and to the amendments of the Legislative Council, made in and to the bill sent up from the Assembly, entitled, "An Act to alter and amend the Act passed during the third Session of the present Parliament, entitled, 'An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several districts of this Province.'" Amendments to amendments to boundary commissioners' bill acceded to.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Fourth day of February, 1840. }

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to confirm and regulate certain sales of land, for taxes, in the District of Ottawa," were read the first time, as follows:— Amendments to Ottawa land sale bill read first time.

Press 3, Line 3.—After "within," expunge "two," and insert "three." Amendments.
" 4, " 3.—After "forty," expunge "three," and insert "four."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Fourth day of February, 1840. }

On the question for the second reading of the amendments to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Chisholm of *Halton*, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled, "An Act to confirm and regulate certain sales of land, for taxes, in the District of Ottawa," be not read a second time to-morrow, but that they be read a second time forthwith, and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the amendments were read the second time, concurred in, and passed. Amendments concurred in.

Messieurs Hotham and McKay were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments. Address to Her Majesty on Chelsea Pensioners read second time and committed.

Pursuant to the order of the day, the address to Her Majesty, respecting certain Chelsea Pensioners, was read the second time.

The House was put into a committee of the whole on the same.

Mr. Richardson in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House. Address reported.

The report was received.

Ordered—That the address be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the bill to provide for the management of the temporalities of the Church of England was read the second time. Church of England temporalities bill read 2d time and committed

The House was put into a committee of the whole on the bill.

Mr. Small in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

Division on receiving report.

On the question for receiving the report, the yeas and nays were taken as follows :

YEAS.

Yeas—17.

Messrs. *Attorney General, Bockus, Boulton, Burritt, Cartwright, Chisholm of Halton, Gamble, Kearnes, McLean, Richardson, Robinson, Ruttan, Shade, Sherwood, Small, Solicitor General, Thomson*—17.

NAYS.

Nays—7.

Messrs. *Chisholm of Glengarry, Malloch, McDonell of Stormont, McIntosh, McKay, Parke, Thorburn*—7.

Carried—majority 10.

The question was carried in the affirmative by a majority of ten, and the report was received.

3d reading Thursday.

Ordered—That the bill be engrossed and read a third time on Thursday next.

Sel. com. on message with report on claims, and on petitions of M. Laing, J. Mewburn, and S. Hawley, report bill to indemnify for losses by incendiarism since 1838, (2d). Bill read.
2d reading to-morrow.

Mr. Thorburn, from the select committee to which were referred the message of His Excellency the Governor General respecting claims for destruction of property by incendiaries, and also the several petitions of M. Laing, J. Mewburn and S. Hawley, reported the draft of a bill.

The report was received, and the bill was read the first time.

Ordered—That the bill to indemnify sufferers by incendiarism, since December, 1838, be read a second time to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Chisholm of *Halton*,

Ordered—That one hundred copies of the bill for the management of the temporalities of the Church of England be printed for the use of the members.

Adjourned.

100 copies of Church Temporalities bill to be printed.

WEDNESDAY, 5th February, 1840.

The House met.

The minutes of yesterday were read.

Petitions brought up:

The following petitions were severally brought up and laid on the table:

S. B. Smith.

By Mr. Gamble, the petition of Samuel B. Smith, a Clerk in the Executive Council Office.

John Carey.

And by Mr. Sherwood, the petition of John Carey of the City of Toronto.

Address for Commission on Canada Co's affairs read third time.

Pursuant to the order of the day, the address to His Excellency the Governor General for the appointment of a commission on the Canada Company's affairs, was read the third time.

Division on passing.

On the question for passing the same, the yeas and nays were taken, as follows:

YEAS.

Yeas—26.

Messrs. *Aikman, Armstrong, Chisholm of Glengarry, Cook, Duncombe, Hotham, Marks, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, Merritt, Murney, Parke, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Thomson, Wickens, Woodruff*—26.

N A Y S.

Messrs. Bockus, Boulton, Burwell, Gamble, Kearnes, Manahan, Mathewson, Powell—8.

Nays—8.

The question was carried in the affirmative by a majority of eighteen, and the address was passed, and is as follows :

Address passed—majority 18.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to appoint a commission consisting of not less than three efficient persons, to investigate and inquire into the affairs of the Canada Company, and how far their business has been carried on in accordance with the terms of their charter, and into the expenditure, so far as the same is connected with the Government of this Province.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Fifth day of February, 1840. }

Messrs. Shade and Chisholm of *Halton*, were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the bill to consolidate the several turnpike trusts was read the third time.

Turnpike trusts consolidation bill read 3d time

On the question for passing the bill,

In amendment—Mr. Marks, seconded by Mr. Thomson, moves that the bill do not now pass, but that it be re-committed forthwith.

Motion to recommit bill

On which the House divided, and the question was lost.

Lost.

The bill was then passed.

Bill passed.

Mr. Gamble, seconded by Mr. Robinson, moves that the bill be entitled "An Act to repeal, alter, and amend, the laws now in force for the regulation of the several Macadamized Roads within this Province."

Title.

Which was carried, and Messieurs Gamble and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

Pursuant to the order of the day, the address to His Excellency the Governor General, respecting the Rideau Canal, was read the third time.

Address on Rideau Canal read third time.

On the question for passing the address,

In amendment—Mr. Gowan, seconded by Mr. McKay, moves that the address do not now pass, but that it be re-committed to a committee of the whole House forthwith.

Which was carried, and the House was put into a committee of the whole on the address.

Address recommitted.

Mr. McDonell, of *Northumberland*, in the chair.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

Address reported amended.

The report was received.

3d reading to-day.

Ordered—That the address be engrossed and read a third time this day.

Bill to prevent sale of liquors to Indians read third time and passed.

Pursuant to the order of the day, the bill to continue the act for preventing the sale of spirituous liquors to Indians was read the third time and passed.

Title.

Mr. Hotham, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to amend and make permanent an Act passed in the fifth year of His late Majesty's reign, entitled, 'An Act to prevent the sale of spirituous liquors to Indians.'"

Bill sent to Leg. Council

Which was carried, and Messieurs Hotham and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Clerk of Crown in Chancery's salary bill passed.

Pursuant to the order of the day, the bill to continue the salary of the Clerk of the Crown in Chancery was read the third time and passed.

Title.

Mr. Hotham, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to continue an Act passed in the seventh year of His late Majesty's reign, entitled, 'An Act granting a salary to the Clerk of the Crown in Chancery, and for other purposes therein mentioned.'"

Bill sent to Leg. Council

Which was carried, and Messieurs Hotham and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Escott Mining Company bill passed.

Pursuant to the order of the day, the Escott Mining Company bill was read the third time and passed.

Title.

Mr. Sherwood, seconded by Mr. Morris, moves that the bill be entitled, "An Act to incorporate certain persons under the style and title of the Escott Mining Company."

Bill sent to Leg. Council

Which was carried, and Messieurs Sherwood and Morris were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address in behalf of Baines and Thornhill passed.

Pursuant to the order of the day, the address to His Excellency the Governor General, in behalf of Messieurs Baines and Thornhill, was read the third time and passed, and is as follows:

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY I⁷ PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency, that a petition, signed by Thomas Baines and R. H. Thornhill, praying to be released from their liability as sureties for Mr. Edward Beeston, late Collector at the port of Hallowell, has been presented to this House; that the petition has been referred to a select committee, who have reported:—"That from the testimony submitted to them, and the reports of the late, as well as the present, Inspector General, they are of opinion, that the petitioners should be released from all responsibility, as sureties of Mr. Beeston, since the time they gave notice to the Inspector General that they would no longer continue bound for him."

We, therefore, pray Your Excellency, that all claim upon the said Thomas Baines and R. H. Thornhill, as sureties of Mr. Beeston, be remitted, from the period that notice was given by them to the Inspector General, that they would no longer continue responsible for Mr. Beeston.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Fifth day of February, 1840. }

Messieurs McKay and Gowan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the address to Her Majesty, in behalf of certain Chelsea Pensioners, was read the third time and passed, and is as follows: Address to Her Majesty on Chelsea Pensioners passed.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, Address.
in Provincial Parliament assembled, beg leave to acquaint Your Majesty, that certain Chelsea Pensioners, who had faithfully served Your Majesty's royal predecessors in various parts of the world, were allowed, some years ago, to commute their pensions and receive a grant of land from the Crown in this Province.

That many of the said pensioners were infirm and disabled persons, in consequence of wounds received in such service, and were unfit to become settlers in the forests of this Province, and have been reduced to much distress.

That Your faithful Commons have, on several occasions, called the attention of Your Majesty's Government to the situation of this deserving, yet distressed, class of persons, and have besought Your Majesty to restore them to the pension list, inasmuch as the sum paid to them for the commutation of their pensions was a very inadequate remuneration for the relinquishment of their pensions, and as the wild land allotted to them proved of very little avail.

Your Majesty's faithful Commons moreover represent that by a letter addressed by the Deputy Secretary at War to the Lords Commissioners of Your Treasury, dated 9th January, 1837, these pensioners were led to suppose that they would be again restored to the pension list, and enjoy a continuance of Your Majesty's bounty; but that instead thereof, such of them as declare themselves paupers, and unable to provide themselves maintenance, are, by Your Majesty's Instructions, furnished with provisions, which entail a greater expense on Your Majesty's Government than would pay the pensions formerly allotted to these persons, and is not so agreeable to the parties as their restoration to the pension list would be.

Your Majesty's faithful Commons lastly beg leave to represent that many of the said Pensioners have died, so that the number to be restored to the pension list would not be great; and that during the late rebellion in this country such of them as were capable of bearing arms did not hesitate to exert themselves in support of the laws and institutions of this part of Your Majesty's Dominions, in a manner creditable to themselves, and satisfactory to the Government of the Province.

Your Majesty's faithful Commons therefore beseech Your Majesty to restore the said Pensioners to the pension list, and to enjoy that bounty in the decline of life which their services had merited from the Government they had so zealously and faithfully endeavoured to uphold and maintain.

ALLAN N. MACNAB.

SPEAKER.

Commons House of Assembly, }
Fifth day of February, 1840. }

Pursuant to the order of the day, the following petitions were read :

Of Ebenezer Wilson, J. P., of the district of Bathurst, praying for aid to complete a bridge. *Petitions read:*
E. Wilson.

And of Tunis Snook, and twenty-three others, of the seventh concession of the township of Kingston, praying that the old boundary line of said concession may be the governing one. T. Snook and 23 others

Mr. Sherwood, seconded by Mr. Rykert, moves that the petition of John Carey be now read, and that the forty-first rule of this House be dispensed with so far as it relates to the same.

Which was carried, and the petition of John Carey, of the city of Toronto, praying to be remunerated for reporting the debates of the House during the two last Sessions, was read. John Carey.

Mr. Gamble, seconded by Mr. Ruttan, moves that the petition of Samuel B. Smith be now read, and that the forty-first rule of this House be dispensed with for that purpose.

Which was carried, and the petition of Samuel B. Smith, a clerk in the Executive Council Office, praying that a deficiency in his salary for the year 1839, may be made good to him, was read. S. B. Smith.

- Petitions referred:*
Of J. Carey, to com. on contingencies.
- On motion of Mr. Sherwood, seconded by Mr. Rykert,
Ordered—That the petition of John Carey be referred to the committee on contingencies, with power to report thereon.
- Of S. B. Smith, to do.
- On motion of Mr. Gamble, seconded by Mr. Ruttan,
Ordered—That the petition of Samuel B. Smith be referred to the committee on contingencies.
- Of T. Snook and others to select committee.
- On motion of Mr. Mathewson, seconded by Mr. Manahan,
Ordered—That the petition of Tunis Snook, and others, be referred to a select committee, to be composed of Messieurs Marks, Powell, and Rykert, with power to send for persons and papers, and to report thereon, by bill or otherwise.
- Of S. S. Junkin, and of Jas. Cull, from printing committee to com. on contingencies.
- On motion of Mr. Rykert, seconded by Mr. Morris,
Ordered—That the printing committee be discharged from the further consideration of the petitions of Samuel Smith Junkin and James Cull, and that the said petitions be referred to the committee on contingencies, with power to report thereon.
- Notice of bill to amend act for advancement of education.
- Mr. Chisholm, of *Glengarry*, gives notice that he will, on to-morrow, move for leave to bring in a bill to place the proceeds of the school lands under the control of the Governor in Council, and to repeal an act passed last session of Parliament, entitled, "An Act to provide for the advancement of Education in this Province."
- Com. report bill to levy a duty on foreign produce.
- Mr. Boulton, from the select committee to which was referred the bill to impose a duty on foreign produce admitted into the ports of this province, reported the bill.
- Bill read.
- The report was received, and the bill was read the first time.
On the question for the second reading of the bill to-morrow,
In amendment—Mr. Bockus, seconded by Mr. Boulton, moves that the bill be not read a second time on to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to this motion.
- Bill read second time and committed.
- Which was carried, and the bill was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Murney in the chair.
The House resumed.
- Bill reported amended.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow.
- Ordered*—That the bill be engrossed and read a third time to-morrow.
On motion of Mr. Robinson, seconded by Mr. Solicitor General,
Ordered—That Messieurs Gamble and Rykert be a committee to examine the journals of the Honorable the Legislative Council, to ascertain what proceedings have been had respecting the bill sent up by this House, entitled, "An Act to revive and amend the laws relating to duties on stills in this province."
- Sel. com. appointed to search Journals of Leg. Council on still duty bill.
- Mr. Cartwright, from the select committee to which was referred the petition of A. McDonell, Esquire, Sheriff of the Midland District, presented a report, and the draft of a bill, which were received.
- Sel. com. on petition of A. McDonell, Esquire, present report and bill for his relief.

The report was read, as follows:

To the Honorable the Commons House of Assembly :

Report.

The Committee, to whom was referred the petition of Allan McDonell, Esquire, Sheriff of the Midland District, beg leave to report:

That from evidence which has been produced to them, together with the accompanying documents, it appears that the escape of the prisoners, confined for debt in the gaol of the Midland District, was occasioned by no inattention or negligence on the part of the Sheriff, but arose entirely from the defective construction of the prison, which had been frequently reported to the Magistrates

by that officer. It would also appear, that the Magistrates are sensible that the loss ought not to fall upon the Sheriff, but having, as they conceive, no authority to pay the amount out of the funds of the district, your Committee recommend that a bill be passed, authorising the Magistrates of the Midland District to pay out of the funds of the said district, by instalments, or otherwise, in their discretion, the sum of four hundred and fifty pounds, being the amount which has been actually paid by the Sheriff. They, therefore, herewith report the draft of a bill, which they recommend to the consideration of your Honorable House.

All which is respectfully submitted.

JOHN S. CARTWRIGHT,

CHAIRMAN.

Committee Room, House of Assembly, }
4th February, 1840.

The bill for the relief of A. McDonell, Esq., was read the first time.

Bill read.

On the question for the second reading of the bill to-morrow.

In amendment—Mr. Cartwright seconded by Mr. Murney, moves that the bill for the relief of A. McDonell, Esquire, Sheriff of the Midland District, be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Sherwood in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Small, from the select committee to which was referred the petition of J. W. Sherrard and T. Henry, informed the House that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Sel. com. on petition of Sherrard and Henry report Christians' relief bill.

The report was received, and the bill for the relief of the sect called "Christians" was read the first time.

Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Small, seconded by Mr. Thomson, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with, so far as relates to this motion.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Marks in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow.

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Mr. Sherwood, from the select committee to which were referred the petitions of W. Kingsmill, Esquire, and W. Chisholm, Esquire, Collectors of Customs, presented as a further report the draft of a bill.

Sel. com. on petitions of W. Kingsmill and of W. Chisholm report bill for their relief.

The report was received, and the bill for the relief of Messieurs Kingsmill and Chisholm was read the first time.

Bill read.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Rykert, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Hotham in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Com. to carry up address on £50,000 for roads report answer.

Mr. Thomson, from the committee to wait on His Excellency the Governor General with the address respecting the £50,000 granted for the improvement of roads and bridges, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:—

GENTLEMEN:

Answer.

I am sorry to inform you that I find, upon enquiry from the Receiver General, that he has no funds from which the appropriation you request can be made; and I fear that it is not possible, under the present circumstances in which the credit of the Province stands, to obtain money on debentures on the terms authorized by law.

I am fully sensible, however, of the inconvenience and injury under which some parties are now suffering in respect to the contracts entered into with them, and I shall be happy, if by any arrangement it is possible to relieve them in this respect.

Sel. com. on petitions of Israel Lewis, and C. W. Paul, and others, present report.

Mr. Parke, from the select committee to which was referred the petitions of Israel Lewis, and of C. W. Paul, and others presented a report, which was received and read.

Report—(See Appendix.)

Sel. com. on contingencies present report. Also, on petitions of C. Fothergill, S. S. Junkin, Jas. Cull, Æneas Bell, (cleaning the rooms), H. Fowler, J. Carey.

Mr. Thorburn, from the select committee on contingencies, presented a report on the contingencies of the Legislature, and on the several petitions referred to them of C. Fothergill, S. S. Junkin, James Cull, Æneas Bell, Harvey Fowler, and John Carey, which was received and read, as follows:

To the Honorable the Commons House of Assembly:

Report.

The Committee, to whom were referred the contingent accounts of your Honorable House, beg leave to report:

That the accounts, for the year ending 7th November, 1839, of the Clerk of your Honorable House, and of the Sergeant-at-Arms, have been examined, in the different items of disbursements, by your Committee, and they are satisfied therewith.

Your Committee annex to this report statements, in detail, of the expenditure of the sums granted for the contingent expences of the House, for the above period, agreeably to the resolutions passed the last Session.

Your Committee also append an estimate of the different items to be provided for during the current year.

Agreeably to the resolution of last Session, Mr. William P. Patrick has received the amount of his salary, £300, which your Committee recommended to be considered as established for his services as Chief Copying Clerk, this sum to include extra hours.

Your Committee, herewith, report and recommend a resolution in favor of Mr. Thomas Vaux, for his services the past year, as Assistant to the Chief Copying Clerk, and likewise recommend that he be placed upon a salary of £200 per annum in future.

In conformity with the resolution of your Honorable House, of last Session, in favor of Alpheus Todd, your Committee recommend that a further allowance of £25 be made him, as a full remuneration for the work which is now completed, as was contemplated, it being, in the opinion of your Committee, a valuable book of reference. Report.

Your Committee have entertained an application made to them by Mr. Coates, one of the Copying Clerks of your Honorable House, of eighteen years service, for an extra allowance, upon the ground of his long standing, adequate to his proper support; out of respect to the application of this old and faithful servant, your Committee have prepared a resolution for the consideration of your Honorable House.

The petition of Æneas Bell having been referred to your Committee, praying remuneration in behalf of his wife, for keeping in order the different apartments in the Parliament buildings; your Committee, in referring to the Journals, find that a resolution has been regularly passed for several Sessions, for £25, covering these very charges that the petitioner prays to be remunerated for, and your Committee have prepared a resolution for the usual allowance.

An application has been made to your Committee, by the Door-keeper, to be allowed £60 by your Honorable House for the Session; on referring to the Journals of 1833-4, your Committee find that such a sum was allowed him for that Session, but by the report of the Committee on Contingencies the next Session, it appears to have been considered an error, it having been so returned by the Sergeant-at-Arms, without, at the time, considering the warrant for £20, which, with the £40 allowed by the House, made up the £60.

Respecting the petition of Mr. Fothergill, your Committee cannot entertain it to the full extent of the prayer of the petitioner; but your Honorable House having received a number of the pamphlets referred to in the petition, and with a desire to close all further claim of whatever kind or description Mr. Fothergill may have, or can have, for services rendered in the way of printing, furnishing of papers, of any kind, or any other claim, it is recommended that a resolution do pass, granting him £25.

The petitions of Harvey Fowler and Samuel S. Junkin, praying remuneration for reporting in the second Session of the twelfth Parliament, have been considered by your Committee; a resolution was moved in your Honorable House, during the said Session, to appoint a Committee to consider the expediency of employing Reporters, which was lost, but it is well known, notwithstanding, that the debates of the House were published, and very extensively circulated, and for which no remuneration has been made by your Honorable House, and considering that allowance was made to Mr. Dalton, in the third Session of the present Parliament, for reporting done previously, recommend that the petitioners be granted, severally, the sum of £25.

The petition of James Cull has been under the consideration of your Committee, setting forth that the petitioner furnished the Members of your Honorable House with a paper called the *Royal Standard*, in the Session of 1836-7; your Committee have no means of ascertaining to what extent these papers were received by Honorable Members, and as there does not appear to be any direct order of the House to furnish the papers, they are at a loss to determine the amount of remuneration Mr. Cull should receive. Your Committee, therefore, leave for the consideration of your Honorable House the decision thereof, for which purpose your Committee submit a blank resolution.

The petition of John Carey has this day been referred to your Committee, the claim set up by Mr. Carey is, having reported for the last two Sessions; the case of the petitioner your Committee conceive to be similar to that of Messieurs Junkin and Fowler, as there was no authority to pay reporters during those Sessions, and it does not appear (in consequence of the claim of Mr. Dalton having been admitted, as mentioned above,) that any other course is left for your Committee, than to report, as in the other cases, a resolution for the consideration of your Honorable House.

All which is respectfully submitted.

DAVID THORBURN,

CHAIRMAN.

Committee Room, House of Assembly, }
5th February, 1840. }

Contingencies of the House of Assembly for the year ending 7th November, 1839.

Contingencies of Clerk of the House.

CLERKS' DEPARTMENT.

	£	s.	d.		£	s.	d.
The Clerks' usual allowance as per resolution,	200	0	0	Unexpended balance in hand on the 7th November, 1839, £1483 2 3½—less £110 0 0 omitted in last year's report, being £100 paid to T. Dalton and £10 to John Kyte, per resolutions,	1373	2	3½
William P. Patrick, Chief Copying Clerk, to make up his salary for the year ending the 7th November, 1838, to £300, as per resolution and voucher,	26	17	6	By warrant of Lieutenant Governor, as per addresses to His Excellency,	4724	10	3
William P. Patrick, ditto, his salary for the year ending 7th Nov. 1839, as per vouchers,	300	0	0	By Statute 41 Geo. 3, chap. 12,	25	0	0
Thomas Vaux, Copying Clerk as Assistant to the Chief Copying Clerk, for the year ending 7th Nov. 1838, as per resolution and voucher,	30	0	0				
Thomas Vaux, for services as Copying Clerk, for the year ending 7th Nov. 1839, as per vouchers, ..	196	0	0				
David Jardine, do do do..	99	5	0				
William Coates, do do do..	187	6	8				
Alfred Patrick, do do do..	222	11	8				
Samuel McMurray, do to 15th June, 1839, do.....	118	18	4				
Alfred Todd, do. for the year ending 7th Nov. 1839, do.....	185	10	0				
Thaddeus Patrick, do. as per resolution and voucher,	52	0	0				
Thaddeus Patrick, for services as do. for the year ending 7th Nov. 1839, as per vouchers,	182	1	8				
Henry Stuart, do do do..	21	3	4				
Ontario Stevens, do do do..	27	8	4				
Henry Hartney, do do do..	8	15	0				
Charles FitzGibbon, do from 22d June to 7th Nov. 1839, inclusive, do,	58	6	8				
	<hr/>						
POSTAGE.	1716	4	2				
Charles Berczy, Esquire, for Postage up to the 5th July, 1839, £987 0 0, less £2 5 3, being an amount repaid by members to the Clerk for letters, &c. overweight.....	984	16	5				
	<hr/>						
STATIONARY AND PRINTING PAPER.							
W. F. Price & Son, London, for Stationary, including bill of lading, freight and primage, insurance and policy and commission, as per invoice and bill,	348	12	6				
James Holmes, Montreal, Forwarder, expenses on stationary, as per remittance,	8	13	5				
Lesslie & Sons, Toronto, for Stationary, as per bill and voucher, ..	2	12	6				
Eastwood & Skinner, ditto, for Printing paper, as per bill and voucher,	44	0	0				
Hart & Co. do do do..	8	15	0				
Saxon & McNight, do do do..	2	9	0				
	<hr/>						
PRINTING.	415	2	5				
Charles Fothergill, for 300 copies of the Royal Calendar, as per resolution and voucher,	93	15	0				
Hugh Scobie, for printing the Journals of the Assembly, 4th Sess. 13th Parl. as per vouchers,	300	0	0				
	<hr/>						
	393	15	0				
Carried forward,	£3316	3	0				
	<hr/>						
					£6122	0	0½

Contingencies of Clerk of the House.		£	s.	d.	Brought forward,....		£	s.	d.
Brought forward,.....		4510	6	5½	Brought forward,....		6122	12	6¾
Sundry incidental expenses for which there are vouchers,.....		32	16	11					
Per centage on £4543 3 4½,.....		4543	3	4½					
		45	8	7½					
Unexpended balance in hand on 7th November, 1839,.....		4588	12	0					
		1534	0	6¾					
		£	6122	12	6¾				
					£	6122	12	6¾	

SERGEANT-AT-ARM'S DEPARTMENT.

Contingencies of Sergeant-at-Arms.		£	s.	d.	Unexpended balance in hand upon the 7th Nov. 1839,.....		£	s.	d.
Usual allowance, as per resolution,.....		100	0	0	By warrant of Lieutenant Governor, as per address to His Excellency,.....		715	4	2½
For arresting Messieurs Aikman, Ferrie, and Shade, as per resolution,.....		20	0	0					
ACCOUNTS.									
		£	s.	d.					
John Mackenzie, oil, &c....	Vr. 1	1	12	6					
Francis Thomas, whitesmith, "	2	6	1	6					
S. Burnham, candles, &c....	3	21	16	11					
S. Wiggins, repairing locks, &c.....	4	2	14	6					
Cormack & Co. carpets, &c....	5	39	14	8					
Esmonde, tinsmith,.....	6	27	1	3½					
John Craig, glazier, &c.....	7	13	8	9					
Hart & March, do.....	8	22	2	1					
Robert Marchant, carpenter, ..	9	202	7	5½					
John Struthers, carpets, &c....	10	2	0	0					
G. T. Denison, wood,.....	11	79	18	10					
Peter McArthur, mason,.....	12	38	7	11					
Ridout, Brothers & Co. iron-mongers,.....	14	0	10	6					
James Myers, cabinet-maker, ..	15	1	5	0					
Hugh McLellan, doorkeeper, ..	16	40	0	0					
Aneas Bell, chief messenger, ..	"	40	0	0					
R. Defries, messenger,.....	"	20	0	0					
John Fenwick, do.....	"	21	10	0					
Thomas Hill, do.....	"	20	0	0					
Wm. Dixon, do.....	"	21	10	0					
M. M'Carty, do.....	"	21	10	0					
John Kay, do.....	"	17	10	0					
		661	1	11					
Unexpended balance in hand, November 7th, 1839,.....		73	18	1					
		£	855	0	0				
					£	855	0	0	

ESTIMATE of the amount required to meet the contingent expenses of the House of Assembly for the year commencing 7th November, 1839.

DEPARTMENT OF THE CLERK OF ASSEMBLY.		£	s.	d.	
For Printing.....		900	0	0	Estimate for ensuing year.
For Stationary.....		250	0	0	
For Printing Paper.....		350	0	0	
For Binding.....		125	0	0	
For Postage.....		1000	0	0	
For Office Clerks and Messengers.....		1700	0	0	
For incidental expenses.....		250	0	0	
		4575	0	0	
Less balance in hand as per account.....	£1584	0	6½		
Less by statute.....		25	0	0	
		1559	0	6½	
To be provided for the Clerk's department.....		3015	19	5¼	
DEPARTMENT OF THE SERGEANT-AT-ARMS.					
For the usual allowance of the Sergeant-at-Arms.....	£100	0	0		
Expenses incurred in arresting certain Members last Session.....		3	10	0	
For Door-keeper.....		40	0	0	
For Chief Messenger.....		40	0	0	
For seven Messengers, 75 days of Session, at 5s. per day each.....		181	5	0	
For Firewood.....		65	4	7½	
For sundry Accounts.....		155	0	0	
		584	19	7½	
Less balance in hand as per account.....		73	18	1	
To be provided for Sergeant-at-Arms' department.....		461	1	6½	
Total.....		3477	0	11¾	

On motion of Mr. Thorburn, seconded by Mr. Malloch,

Ordered—That the House do go into committee of the whole on to-morrow on the report of the select committee on contingencies.

Report referred to com. of whole to-morrow.

Mr. Rykert, from the select committee to search the Journals of the Honorable the Legislative Council, on the subject matter of the bill sent up from this House, entitled "An Act to revive and amend the laws relating to duties on Stills in this Province," presented a report, which was received and read, as follows:—

Com. to search Journals of Leg. Council on Still duty bill present report.

To the Honorable the Commons House of Assembly :

The Committee to search the Journals of the Honorable the Legislative Council, respecting the bill sent up from this House entitled "An Act to revive and amend the laws relating to duties on Stills in this Province," beg leave to report as follows:—

Report.

"MONDAY, 27th January.

"A deputation from the Commons House of Assembly brought up a bill, entitled 'An Act to revive and amend the laws relating to duties on stills in this Province,' to which they request the concurrence of this House, and then withdrew.

"Said bill was then read, and it was *Ordered*—That the forty-fourth rule of this House be dispensed with as it respects this bill, and that it be read a second time presently.

"Said bill was then read a second time accordingly, and it was *Ordered*—That the same be referred to a select committee, to report thereon; and *Ordered*—That the Honorable Messrs. Morris, John Macaulay, and John Simcoe Macaulay, do compose the same for that purpose."

"TUESDAY, 28th January.

"On motion made and seconded; it was *Ordered*—That the Honorable Messrs. Burnham and Willson be added to the select committee appointed to report on the bill entitled 'An Act to revive and amend the laws relating to the duties on stills in this Province.'"

"FRIDAY, 4th February.

"The Honorable Mr. Burnham, from the committee to whom was referred the bill entitled 'An Act to revive and amend the laws relating to duties on Stills in this Province,' presented their report; *Ordered*—That it be received, and the same was then read by the Clerk as follows:—

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled "An Act to revive and amend the laws relating to the duties on stills in this Province," beg leave to report:—

"That they have taken the said bill into their most serious consideration, and are of opinion that the amount of duties intended to be raised by the said bill is so much greater than has ever heretofore been attempted, that they think it is extremely doubtful whether the measure may not in the end defeat itself, and be the means of affording inducement for smuggling the article of Whiskey from the United States, and thus increase an already existing evil, without lessening, in the smallest degree, the excessive use of ardent spirits. The description also of the tubs or vessels intended to be subjected to the payment of duties appears to your committee to be so vague and uncertain that uniformity of practice under such a law can hardly be looked for; your Committee, therefore, feel that they cannot, with propriety, recommend any further proceedings to be had upon it by your Honorable House.

"All of which is most respectfully submitted,

"[Signed]

"Z. BURNHAM,

"CHAIRMAN,

"February 3d, 1840."

"On motion made and seconded, it was *Ordered*, that the last mentioned report of the select committee be adopted."

All which is respectfully submitted,

GEO. RYKERT,

J. W. GAMBLE.

House of Assembly, }
5th January, 1840. }

Sel. com. on expiring laws report three bills.

Mr. Hotham, from the select committee on expiring laws, reported further the drafts of three bills.

The report was received.

Militia pension continuation bill read first time. 2d reading to-morrow.

The bill to continue the Militia Pension Act was read the first time.

Ordered—That the bill be read a second time to-morrow.

Law suit lessening bill read first time.

The bill to continue the Act for decreasing the expense of Lawsuits, was read the first time.

Ordered—That the bill be read a second time to-morrow.

2d reading to-morrow.

Imprisonment for debt continuation bill read first time.

The bill to continue the Act mitigating Imprisonment for Debt, was read the first time.

Ordered—That the bill be read a second time to-morrow.

2d reading to-morrow.

Sel. com. on petitions of C. C. Small and J. F. Taylor, (2d) present report and address in their behalf.

Mr. Prince, from the select committee to which were referred the petitions of C. C. Small, and J. F. Taylor, presented a report, and the draft of an address to His Excellency the Governor General, which were received.

The report was read, as follows:

To the Honorable the Commons House of Assembly, in Provincial Parliament assembled.

Report.

The Committee to whom were referred the petitions of Charles Coxwell Small, Esq., and of John Fennings Taylor, Esq., complaining of the non-payment of their respective accounts for services performed as clerks at the several special sessions of Oyer and Terminer and Gaol delivery, for the trial of cases of High Treason in 1838, most respectfully report, that they cannot discover that there is any dispute as to the services charged for having been duly performed by the petitioners: the difficulty which has led to the amount of their respective claims having been withheld from them to the present time, is the fact of the tariff of fees established by the Court of Queen's Bench, under the authority of the Act 2d Geo. 4, chap. 1, sec. 45, not contemplating or providing for the particular services performed, and the Deputy Inspector General having refused to

take the charges as allowed in 1815 and 1814, for similar services as his guide. Under these circumstances your Committee are of opinion, that where the present tariff of fees will not afford authority to the Inspector General in auditing the accounts of the petitioners, he should have recourse to the allowances made for similar services in 1814.

With this view of the case, your Committee have prepared an address to His Excellency the Governor General, which is herewith reported.

All which is respectfully submitted.

JOHN PRINCE,
CHAIRMAN.

Committee Room, House of Assembly, }
5th February, 1840. }

The address to His Excellency the Governor General, in behalf of Messieurs Small and Taylor, was read the first time. Address read first time.

Ordered—That the address be read a second time to-morrow. 2d reading to-morrow.

Mr. Speaker reported that Mr. Joseph, Clerk to the Honorable the Legislative Council had brought down from that Honorable House a message, and the bill entitled "An Act to increase the capital stock of the Gore Bank, and the number of shares to be held therein;" also the bill entitled "An Act for altering and amending the charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the capital stock of the Company;" and also the bill entitled "An Act for altering and amending the charter of the President, Directors, and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company"—to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Speaker reports Message from Leg. Council. Gore Bank stock increase bill, Commercial Bank stock increase bill, and Upper Canada Bank stock increase bill, sent down amended.

The message was read as follows: Message.

MR. SPEAKER: -

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to provide for the management of the estate of William Handley, Esquire,—without any amendment." Handley's estate bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Fifth day of February, 1840. }

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to increase the capital stock of the Gore Bank, and the number of shares to be held therein"—were read the first time, as follows:— Amendments to Gore Bank stock increase bill read first time.

Press 1, Line 13,—After the word "second" expunge the word "and;" after the word "fifth" add the words "thirteen and twenty-first." Amendments.

Press 5, Line 6,—Add to the bill,—"*11. And be it further enacted by the authority aforesaid, That the provisions of the said Act, passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to incorporate sundry persons under the style and title of the President, Directors, and Company of the Gore Bank,' shall apply to this present Act, except in so far as the same are or may be varied or repealed by this or any other Act passed by the Legislature of this Province.*"

"*12. And be it, &c. That the funds of the Bank shall not be employed in loans or advances upon land or other property, not readily convertible into money, nor in the purchase of any property, except as excepted in the fourteenth clause of the said Act, passed in the sixth year of the reign of His late Majesty King William the Fourth, but be confined to what are understood to be the legitimate operations of banking, namely, advances upon commercial paper or government securities, and general dealings in money and bills of exchange.*"

"13. *And be it, &c.* That if at any time, after the passing of this Act, the said President, Directors and Company should refuse, on demand being made at their banking house, or any branch or branches, already or hereafter to be established, during the regular hours of doing business, to redeem, in specie, or other lawful money of this Province, their said bills, notes, or other evidences of debt, issued by the said Company, and made payable at their banking house, or at such branch or branches, for the period of six months, then, and in such case, the charter of the said corporation shall be forfeited.

"14. *And be it, &c.* That it shall be the duty of the said Corporation to furnish to the Governor of this Province such statement of their affairs as is required by any Act of the Legislature of this Province, to be laid before the two Houses of the Parliament thereof, at all times, when he shall require the same.

"15. *And be it, &c.* That it shall not be lawful for the said Corporation to discount any note, draft, bill, or other security, on which the names of any Director, or other officers, shall appear as drawers, acceptors, or endorsers, to a greater amount than one-third part of the whole discounts of the bank.

"16. *And be it, &c.* That it shall not be lawful for the said bank to purchase or hold, in its corporate capacity, any stock in the said corporation."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Fifth day of February, 1840. }

2d reading to-morrow

Amendments to Commercial Bank stock increase bill read first time.

Amendments.

Ordered—That the amendments be read a second time to-morrow.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act for altering and amending the charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the capital stock of the Company"—were read the first time, as follows:—

Press 1, Line 17,—After the word "the" expunge "second clause of an Act passed in the sixth year of" and insert "twenty-first clause of an Act passed in the second year of."

" " 18,—After the word "reign" insert "King William the Fourth entitled 'An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Commercial Bank of the Midland District'—also the second clause of an Act passed in the sixth year of His said late Majesty's reign."

Press 3, Line 19,—Add to the sixth clause—"And also to all the provisions of an Act passed in the second year of the reign of His late Majesty King William the Fourth, entitled 'An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Commercial Bank of the Midland District'—except in so far as the same are or may be varied or repealed by this present Act, or by any former Act passed by the Legislature of this Province."

"*And be it further enacted by the authority aforesaid,* That the funds of the Bank shall not be employed in loans or advances upon land or other property, not readily convertible into money, nor in the purchase of any property, except as excepted in the fourteenth clause of the said Act passed in the second year of the reign of His late Majesty King William the Fourth, but be confined to what are understood to be the legitimate operations of banking, viz: the advances upon commercial paper or Government securities and general dealings in money and Bills of Exchange.

"*And be it, &c.,* That if at any time after the passing of this Act the said President, Directors and Company should refuse on demand being made at their Banking House or any Branch or Branches already, or hereafter to be established, during the regular hours of doing business, to redeem in specie or other lawful money of this Province, their said bills, notes, or other evidences of debt issued by the said Company and made payable at their Banking House or at their Branch or Branches for the period of six months, then and in such case the charter of the said Corporation shall be forfeited.

"And be it, &c., That it shall be the duty of the said Corporation to furnish to the Governor of this Province such statement of their affairs, as is required by any Act of the Legislature of this Province, to be laid before the two Houses of the Parliament thereof, at all times when he shall require the same.

"And be it, &c., That it shall not be lawful for the said Corporation to discount any note, draft, bill, or other security, on which the names of any Director or other officer shall appear as drawers, acceptors, or endorsers, to a greater amount than one-third part of the whole discounts of the Bank.

"And be it, &c., That it shall not be lawful for the said Bank to purchase or hold in its corporate capacity any stock in the said Corporation."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Fifth day of February, 1840. }

Ordered—That the amendments be read a third time to-morrow.

2d reading to-morrow.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act for altering and amending the charter of the President, Directors, and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company"—were read the first time, as follows:—

Amendments to Upper Canada Bank stock increase bill read first time.

Press 1, Line 16,—After the word "the," insert "twenty second clause of an act passed in the fifty ninth year of the reign of His late Majesty King George the Third entitled 'An act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada,' and the."

Amendments.

" Line 17,—After the word "reign," insert "King William the Fourth."

Press 3, Line 23,—After the word "contained," expunge the remainder of the bill, and insert "And also to all the provisions of an act passed in the fifty-ninth year of the Reign of His late Majesty King George the third entitled 'An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada,' except in so far as the same are or may be varied or repealed, by this present or by any former act passed by the Legislature of this Province.

"And be it further enacted by the authority aforesaid, That the funds of the Bank shall not be employed in loans or advances upon land or other property not readily convertible into money, nor in the purchase of any property except as excepted in the fifteenth clause of the said act passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, but be confined to what are understood to be the legitimate operations of banking; namely, advances upon Commercial paper or Government Securities, and general dealings in money and Bills of Exchange.

"And be it, &c. That it shall not be lawful for the said Corporation to issue any note or bill under the value of twenty-five shillings of lawful money of Upper Canada.

And be it, &c. That if at any time after the passing of this act, the said President, Directors and Company should refuse, on demand being made at their Banking House, or any Branch or Branches already or hereafter to be established, during the regular hours of doing business, to redeem in specie or other lawful money of this Province their said bills, notes, or other evidences of debt issued by the said Company, and made payable at their Banking House, or at such Branch or Branches respectively for the period of six months, then, and in such case the Charter of the said Corporation shall be forfeited.

"And be it, &c. That it shall be the duty of the said Corporation to furnish to the Governor of this Province, such statement of their affairs as is required by any act of the Legislature of this Province to be laid before the two Houses of Parliament thereof, at all times when he shall require the the same.

"And be it, &c. That it shall not be lawful for the said Corporation to discount any note, draft, bill, or other security, on which the names of any director or other officers shall appear as drawers, acceptors, or endorsers, to a greater amount than one third part of the whole discounts of the Bank.

"And be it, &c. That it shall not be lawful for the said Bank to purchase or hold in its corporate capacity any stock in the said Corporation.

"And be it, &c. That the said Bank, as already established, shall continue to be established at the City of Toronto, any thing in the twenty-first clause of the said act passed in the fifty-ninth year of the Reign of His late Majesty King George the Third to the contrary thereof in anywise notwithstanding.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Fifth day of February, 1840. }

2d reading to-morrow.

Ordered—That the amendments be read a second time to-morrow.

Bill to repeal Chancery Act read second time and committed.

Pursuant to the order of the day, the bill to repeal the Act establishing a Court of Chancery, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. McMicking in the chair.

Adjournment.

At half-past five of the clock p. m., Mr. Speaker resumed the chair, and adjourned the House for an hour and a half.

House meets.

The House met again, pursuant to adjournment.

Committee resumes.

The committee of the whole on the bill to repeal the Act establishing a Court of Chancery, resumed.

Mr. Thomson in the chair.

Question of order.

Mr. Speaker resumed the chair, on a question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

No quorum.

The chairman reported that the committee had risen for want of a quorum.

P R E S E N T .

Members present.

Messrs. Armstrong, Attorney General, Bockus, Boulton, Cartwright, Ferrie, Malloch, McIntosh, McLean, Moore, Morris, Murney, Shaver, Sherwood, Thomson, Thorburn, Woodruff—17.

At eleven of the clock, p. m., Mr. Speaker declared the House adjourned for want of a quorum.

THURSDAY, 6th February, 1840.

The House met.

The minutes of yesterday were read.

The committee of the whole on the bill to repeal the Act establishing a Court of Chancery, resumed. Com. of whole on bill to repeal Chancery Act.

Mr. Elliott in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

On the question for the third reading of the bill to-morrow,

In amendment—Mr. Murney, seconded by Mr. Solicitor General, moves that the bill be not read a third time to-morrow, but that it be read a third time this day, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was ordered to be engrossed and read a third time this day. 3d reading to-day.

The following petitions were severally brought up and laid on the table:— *Petitions brought up:*

By Mr. Burwell, the petition of Mary Ridout, widow of the Honorable Thomas Ridout, late Surveyor General. Mary Ridout.

And by Mr. Manahan, the petition of Hugh McLennan, door-keeper to the House of Assembly. H. McLennan.

Pursuant to the order of the day, the address to His Excellency the Governor General, respecting the Rideau Canal, as amended, was read the third time and passed, and is as follows:— Address on Rideau Canal read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg most respectfully to approach Your Excellency, and to represent, that Her Majesty's faithful Commons did, on the 26th day of June, 1837, address Her Majesty, to cause a lock to be constructed at St. Anne's Rapid, on the Ottawa River, in the seigniory of Vandreuil, Lower Canada. Address.

Her Majesty's faithful Commons have since learned that the works which Her Majesty was graciously pleased to order to be carried on, for the purpose of constructing the said lock, have been suspended, and, in consequence, Her faithful Commons apprehend, that some private interests may be allowed to interfere with the completion of a measure of so much public interest and advantage; Her Majesty's faithful Commons, therefore, humbly pray that Your Excellency may be pleased to cause the said lock to be completed, and the navigation of the noble river Ottawa opened for the public use and competition of all Her Majesty's faithful subjects in these Provinces.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Sixth day of February, 1840. }

Messieurs McKay and Merritt were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Order of day for third reading Church Temporalities bill being called
Amendment moved—
(Mr. Thomson.)

On the order of the day for the third reading of the bill to provide for the management of the temporalities of the Church of England, being called.

In amendment—Mr. Thomson, seconded by Mr. McIntosh, moves that the order of the House for the third reading of this bill be rescinded, and that the bill be read a third time this day three months.

Division on amendment

On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—16.

Messrs. *Armstrong, Chisholm* of Glengarry, *Cook, Malloch, McCargar, McDonell* of Glengarry, *McDonell* of Stormont, *McIntosh, McKay, Moore, Morris, Parke, Shaver, Thomson, Thorburn, Woodruff*—16.

N A Y S .

Nays—25.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Burwell, Cartwright, Elliott, Ferrie, Gamble, Gowan, Kearnes, Manahan, Marks, Mathewson, McDonell* of Northumberland, *Powell, Richardson, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Wickens*—25.

Amendment lost—
majority 9.
Bill read third time.

The question of amendment was decided in the negative by a majority of nine, and the bill was read the third time.

On the question for passing the bill,

Amendment moved—
(Mr. Bockus.)

In amendment—Mr. Bockus, seconded by Mr. Chisholm, of Glengarry, moves that the bill do not now pass, but that it be amended by adding the following to the seventh clause :—“ *Provided always*, that nothing in this Act contained shall be construed to confer upon any person or persons acquiring a freehold under or by virtue of this Act, the right to vote at any election for a Member of the Provincial Parliament.”

Division on amendment

On the which the yeas and nays were taken as follows :

Y E A S .

Yeas—19.

Messrs. *Aikman, Armstrong, Bockus, Chisholm* of Glengarry, *Cook, Ferrie, Malloch, McCargar, McDonell* of Glengarry, *McDonell* of Stormont, *McIntosh, McKay, McLean, McMicking, Morris, Parke, Thomson, Thorburn, Woodruff*—19.

N A Y S .

Nays—28.

Messrs. *Attorney General, Boulton, Burrill, Burwell, Cartwright, Elliott, Gamble, Gowan, Hotham, Hunter, Kearnes, Manahan, Marks, Mathewson, McCrac, McDonell* of Northumberland, *Murney, Powell, Prince, Richardson, Robinson, Ruttan, Salmon, Shade, Shaver, Sherwood, Solicitor General, Wickens*—28.

Amendment lost—
majority 9.

The question of amendment was decided in the negative by a majority of nine.

Another amendment—
(Mr. Bockus.)

In amendment—Mr. Bockus, seconded by Mr. Morris, moves that the bill do not now pass, but that it be amended by expunging the last clause.

Carried.

Which was carried.

On the question for passing the bill as amended,

Another amendment—
(Mr. McKay.)

In amendment—Mr. McKay, seconded by Mr. Ferrie, moves that the bill do not now pass, but that it be amended by adding the following to the ninth clause : “ *Provided always* that it shall not be lawful for the Churchwardens, nor for any other authority, to levy any rate or assessment for the use or benefit of the Church of England, from any person who is not an admitted or declared member of the said Church.”

On which the yeas and nays were taken as follows :—

Division on amendmen

Y E A S .

Messrs. *Aikman, Chisholm of Halton, Chisholm of Glengarry, Cook, Ferrie, Malloch, McCargar, McDonell of Glengarry, McDonell of Stormont, McKay, McLean, McMicking, Morris, Parke, Shaver, Thomson, Thorburn, Woodruff*—18. Yeas—18.

N A Y S .

Messrs. *Attorney General, Boulton, Burritt, Burwell, Cartwright, Elliott, Gamble, Gowan, Hotham, Hunter, Kearnes, Manahan, Marks, McCrae, McDonell of Northumberland, McIntosh, Murney, Powell, Richardson, Robinson, Rykert, Salmon, Shade, Sherwood, Solicitor General, Wickens*—26. Nays—26.

The question of amendment was decided in the negative by a majority of eight.

In amendment—Mr. Parke, seconded by Mr. Malloch, moves that the bill do not now pass, but that the following clause be added thereto: “*And be it further enacted by the authority aforesaid, That nothing in this Act contained shall be taken, deemed, or construed, to establish the said Church of England within this Province as a dominant church, or to entitle it to any spiritual rights, privileges, or immunities, over or superior to those enjoyed by other religious denominations recognised by the laws of this Province.*”

Amendment lost—majority 8.
Another amendment—(Mr. Parke.)

On which the yeas and nays were taken as follows:

Division on amendment

Y E A S .

Messrs. *Aikman, Armstrong, Bockus, Chisholm of Halton, Chisholm of Glengarry, Cook, Ferrie, Malloch, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Morris, Parke, Shaver, Thomson, Thorburn, Woodruff*—21. Yeas—21.

N A Y S .

Messrs. *Attorney General, Boulton, Burritt, Burwell, Cartwright, Elliott, Gamble, Gowan, Hotham, Hunter, Kearnes, Manahan, Marks, McCrae, McDonell of Northumberland, Murney, Powell, Richardson, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Wickens*—25. Nays—25.

The question of amendment was decided in the negative by a majority of four.

In amendment—Mr. Solicitor General, seconded by Mr. Robinson, moves that the bill do not now pass, but that the following be added as a rider to the first clause :—“*Provided always, that nothing herein contained shall extend to affect the rights of any other church or body of christians to any landed property or church now erected, but that the same shall remain as if this bill had not been passed.*”

Amendment lost—majority 4.
Another amendment—(Mr. Solicitor General.)

Which was carried, and the rider was read twice and concurred in.

Carried.

On the question for passing the bill, as amended,

In amendment—Mr. Sherwood, seconded by Mr. Solicitor General, moves that the bill do not now pass, but that the following be added as a rider :—“*And be it further enacted by the authority aforesaid, that nothing in this Act contained, shall extend, or be construed to extend, in any manner to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon any Bishop or Bishops, or other ecclesiastical person of the said Church in the said Province of Upper Canada.*”

Another amendment—(Mr. Sherwood.)

Which was carried.

Carried.

Pursuant to the order of the day, the bill to levy a duty on foreign produce admitted into this Province, was read the third time and passed.

Bill to levy a duty on foreign produce read 3d time and passed.
Title.

Mr. Boulton, seconded by Mr. Chisholm of Halton, moves that the bill be entitled “*An Act to impose duties on certain articles imported into this Province from the United States of America.*”

- Bill sent to Leg. Council Which was carried, and Messieurs Boulton and Chisholm of *Halton*, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill for relief of A. McDonell, Esq. read third time and passed.
Title. Pursuant to the order of the day, the bill for the relief of Allan McDonell, Esq., was read the third time and passed.
- Bill sent to Leg. Council Mr. Cartwright, seconded by Mr. Marks, moves that the bill be entitled "An Act for the relief of Allan McDonell, Esquire, Sheriff of the Midland District."
- Bill sent to Leg. Council Which was carried, and Messieurs Cartwright and Marks were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill for relief of Kingsmill and Chisholm read third time and passed.
Title. Pursuant to the order of the day, the bill for the relief of Messieurs Kingsmill and Chisholm, was read the third time and passed.
- Bill sent to Leg. Council Mr. Boulton, seconded by Mr. Cartwright, moves that the bill be entitled "An Act to provide for the relief of William Kingsmill and William Chisholm, Esquires."
- Bill sent to Leg. Council Which was carried, and Messrs. Boulton and Cartwright were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Third reading of Innkeepers' Licence bill called.
On the order of the day, for the third reading of the Innkeepers' Licence Bill being called,
- Bill recommitted. *In amendment*—Mr. Solicitor General, seconded by Mr. Gamble, moves that the bill be not now read a third time, but it be recommitted forthwith, for the purpose of amending the same.
- Bill recommitted. Which was carried, and the House was put into a committee of the whole on the bill.
- Bill reported amended. Mr. Robinson in the chair.
The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- 3d reading to-day. The report was received.
Ordered—That the bill as amended, be read a third time this day.
- Bill to repeal Chancery Act read third time.
Title. Pursuant to the order of the day, the bill to repeal the act establishing a Court of Chancery, was read the third time and passed.
- Bill sent to Leg. Council Mr. Sherwood, seconded by Mr. Murney, moves that the bill be entitled, "An Act to authorise the appointment of commissioners to regulate the practice in the Court of Chancery."
- Bill sent to Leg. Council Which was carried, and Messieurs Sherwood and Murney were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Rider to Church Temporalities bill read third time.
Division on passing. Pursuant to the order of the day, the rider to the bill to provide for the management of the temporalities of the Church of England, was read the third time.
- Division on passing. On the question for passing the bill, the yeas and nays were taken as follows:—
- Y E A S .
- Yeas—24. Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Gamble, Gowan, Kearnes, Manahan, Marks, Mathewson, McDonell of Northumberland, McLean, Murney, Powell, Prince, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Wickens*—24.
- N A Y S .
- Nays—17. Messrs. *Aikman, Armstrong, Chisholm of Glengarry, Cook, Ferrie, Malloch, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Morris, Parke, Rykert, Thomson, Thorburn, Woodruff*—17.

The question was carried in the affirmative by a majority of seven, and the bill was passed.	Passed—majority 7.
Mr. Solicitor General, seconded by Mr. Cartwright, moves that the bill be entitled "An Act to make provision for the management of the temporalities of the United Church of England and Ireland in this Province, and for other purposes therein mentioned."	Title.
Which was carried, and Messieurs Solicitor General and Cartwright were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.	Bill sent to Leg. Council
Pursuant to the order of the day, the following petitions were read:—	<i>Petitions read:</i>
Of F. G. Millar and twenty-five others, of the township of Waterloo, in the District of Gore, praying that the Act rendering said district liable for the repayment of the loan to be contracted for the construction of the Great Western Rail Road may be repealed.	F. G. Millar and 25 others.
And of H. W. Peterson, J. P., and sixty-four others, of the same township, praying the same.	H. W. Peterson and 64 others.
Mr. Manahan, seconded by Mr. Mathewson, moves that the petition of Hugh McLennan be now read, and that the forty-first rule of this House be suspended in this behalf.	
Which was carried, and the petition of Hugh McLennan, door-keeper to the House of Assembly, praying for an increase of salary, was read.	H. McLennan.
Mr. Burwell, seconded by Mr. Murney, moves that the petition of Mrs. Mary Ridout be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.	
Which was carried, and the petition of Mary Ridout, widow of the late Honorable Thomas Ridout, Surveyor General, praying remuneration for certain services performed by her late husband, was read.	Mary Ridout.
On motion of Mr. Burwell, seconded by Mr. Murney,	
<i>Ordered</i> —That the petition of Mrs. Mary Ridout be referred to a select committee to report thereon, and that Messieurs Chisholm of Halton, and Ruttan, do compose said committee.	<i>Petitions referred:</i> Of Mrs. Ridout to select committee.
On motion of Mr. Manahan, seconded by Mr. Mathewson,	
<i>Ordered</i> —That the petition of Hugh McLennan be referred to the committee on contingencies.	Of H. McLennan to com. on contingencies.
On motion of Mr. Gamble, seconded by Mr. Ruttan,	
<i>Ordered</i> —That the contingent committee, to whom was referred the petition of Samuel B. Smith, be discharged from the further consideration thereof, and that the said petition be referred to a committee of supply.	Of S. B. Smith, from com. on contingencies to com. of supply.
Mr. Thomson gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal so much of an Act passed in the ninth year of the reign of His late Majesty, King George the Fourth, entitled "An Act for the relief of the religious societies therein named," as limits their power to hold land to five acres; and to empower those societies to hold lands for parsonages and other purposes to any extent.	Notice of bill to amend Act for relief of certain religious societies.
Mr. Speaker reported that His Excellency the Governor General had stated that it was his intention to prorogue the Parliament to-morrow, at one of the clock, P. M.	Speaker reports time for prorogation.
Mr. Burwell, from the select committee to which was referred the petition of Mary Ridout, presented a report, which was received and read, as follows:—	Sel. com. on petition of Mary Ridout, present report.

To the Honorable the Commons House of Assembly:

The Committee, to whom was referred the petition of Mrs. Mary Ridout, widow of the late Honorable Thomas Ridout, deceased, late Surveyor General of this Province, respectfully report:

Report.

That they have carefully examined the statements set forth in the petition, and are enabled, from their own personal knowledge of the circumstances, to bear testimony to their truth, and cannot but express their sincere regret that a claim so just should have been allowed to remain to the present time unsatisfied.

They, therefore, respectfully recommend that the prayer of the petition be granted.

All which is respectfully submitted.

M. BURWELL,
CHAIRMAN.

Committee Room, House of Assembly, }
6th February, 1840.

On motion of Mr. Burwell, seconded by Mr. Ruttan,

Ordered—That the report of the select committee on the petition of Mrs. Mary Ridout, widow of the late Surveyor General of this Province, be referred to a committee of the whole on supply.

Mr. Morris, from the select committee on printing, presented a report, which was received and read, as follows:

To the Honorable the Commons House of Assembly :

The Committee appointed to superintend the printing of your Honorable House, during the present Session, beg leave to report:

That the printing of the Journals has been contracted for at one shilling and five pence, currency, per 1000m's, deliverable within sixty days after the Session shall terminate; and the printing of the Appendix to the Journals has been taken at one shilling per 1000m's, and the contractor has become bound to complete the same on or before the first day of August next. The binding of the Journals and the Appendix will be performed at a cost of one shilling and seven pence per volume.

No newspapers have been taken during the Session for the use of Members, and the reports of the debates in Your Honorable House have been furnished at an expense of £146.

Your Committee regret to state that the Appendix to the Journals of last Session is not yet printed, and owing to the mass of matter which it contains, the individual who has the work in hand can give no assurance that the work will be finished and ready for delivery previous to the first day of March next.

All which is respectfully submitted.

JAMES MORRIS,
CHAIRMAN.

Committee Room, House of Assembly, }
5th February, 1840.

Com. on finance present report on petition of B. Willson and an address to His Exc'y on Port Stanley.

Mr. Bockus, from the committee on finance, to which was referred the petition of Benjamin Willson and others, presented a report and the draft of an address to His Excellency the Governor General, which were received.

The report was read as follows:

To the Honorable the Commons House of Assembly :

The Committee of Finance, having had referred to them the petition of Benjamin Willson and others, respecting the state of the Harbor at Port Stanley, on Lake Erie, beg leave to report an address to His Excellency the Governor General in relation to the same.

All which is respectfully submitted.

CHARLES BOCKUS,
CHAIRMAN.

Committee Room, House of Assembly, }
5th February, 1840.

Report.

The address to His Excellency the Governor General, respecting the Harbor at Port Stanley, was read the first time. Address read.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Robinson, moves that the address be not read a second time on to-morrow, but that it be read a second time forthwith.

Which was carried, and the address was read the second time, concurred in, read the third time and passed, and is as follows: Address read 2d and 3d times and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to address Your Excellency respecting the state of the Port Stanley Harbor on Lake Erie, and to inform Your Excellency, that this House, at its last Session, passed an Act granting the sum of two thousand pounds for the repair of that Harbor, and authorising the Government of the Province to appoint a competent Engineer to expend the same—but in the then state of the finances of the country, the money was not obtained, and consequently nothing has been done. Address.

We beg to assure Your Excellency, that no public work in the Province requires immediate attention more than the Harbor at Port Stanley,—there being no port on Lake Erie between Port Colborne and Amherstburgh, where vessels can find shelter during stormy weather, with any degree of safety.

There has been a sum of six thousand five hundred pounds expended in erecting Piers at Port Stanley, at present, and we assure Your Excellency, that unless the sum granted last year is speedily obtained and expended, the labor and expense already bestowed upon it, will be in a great measure thrown away. We therefore earnestly request that Your Excellency will cause the money granted last year, to be expended in the manner contemplated by the Legislature, with the least possible delay.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Sixth day of February, 1840. }

Messieurs Bockus and Robinson were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Mr. Prince, seconded by Mr. Parke, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to prorogue this House on Monday next, instead of to-morrow; and that Messieurs Cartwright and Boulton be a committee to draft and report the address, and that the thirty-first rule of this House be dispensed with, so far as relates to the same. Motion for address to Gov. General to extend time for prorogation.

On which the House divided, and it was carried in the affirmative.

Mr. Solicitor General, seconded by Mr. Small, moves that there be a call of the House on Monday next, at eleven o'clock in the forenoon. Carried.
Motion for call of House on Monday.

On which the House divided, and it was carried in the affirmative and ordered accordingly. Carried.

Com. report address to extend time for prorogation.

Address read 3 times.

Division on passing.

Mr. Cartwright, from the committee to draft an address to His Excellency the Governor General, for an extension of the time for proroguing the Legislature, reported a draft, which was received and read twice, concurred in, and read the third time.

On the question for passing the address, the yeas and nays were taken as follows :

Y E A S .

Yeas—26.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Cartwright, Chisholm of Halton, Elliott, Ferrie, Gamble, Gowan, Manahan, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Moore, Morris, Parke, Prince, Ruttan, Salmon, Sherwood, Small, Solicitor General, Thomson, Thorburn*—26.

N A Y S .

Nays—14.

Messrs. *Aikman, Burritt, Burwell, Chisholm of Glengarry, Cook, Kearnes, Mathewson, McCrae, McKay, McMicking, Merritt, Rykert, Shade, Wickens*—14.

Passed—majority 12.

The question was carried in the affirmative by a majority of twelve, and the address was passed, and is as follows :—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly request that Your Excellency will be pleased to extend the time for proroguing the present Session of the Provincial Parliament until Monday next, to enable this House to get through many important measures which must otherwise be lost.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Sixth day of February, 1840. }

Messieurs Solicitor General and Small were ordered by the Speaker to wait upon His Excellency with the address, and present the same.

Address on sections of Trent (Chisholm's rapids) read second time and committed.

Pursuant to the order of the day, the address to His Excellency the Governor General, for a further advance on certain sections of the Trent, was read the second time.

The House was put into a committee of the whole on the address.

Mr. Boulton in the chair.

The House resumed.

Address reported

The chairman reported that the committee had agreed to the address, without amendment, and submitted it for the adoption of the House.

The report was received.

Address read third time and passed.

The address was then read the third time and passed, and is as follows :—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg to represent to Your Excellency, in reference to the works in progress to render navigable the River Trent,— Address.

That notwithstanding a sum more than sufficient to complete the two lower sections of that work, for which the Commissioners have contracted, has been raised by debenture under the authority of the Act, the Commissioners have been obliged, for want of means, to order the suspension of the section called Chisholm's Rapids.

That in consequence of such orders to the contractors, it is just they should be paid such sum for work actually performed, and the materials and implements constructed for the prosecution of the said work, the amount of which allowed by the Commissioners, is one thousand five hundred and five pounds eleven shillings and sixpence currency.

We also beg leave to represent to Your Excellency that the contractors at Meyer's Island, (Francis & Hay, contractors,) in consequence of irregularity of payment, are justly entitled to the sum of two hundred and ninety-seven pounds ten shillings and sevenpence currency, for work done and materials furnished.

We further beg leave to represent to Your Excellency that the contractors at both of these sections have made claims for damages, which are mutually agreed upon by the Contractors and Commissioners to be settled by arbitration,—but in the meantime it is, in the opinion of the House of Assembly, just and proper that these sums should be paid.

We therefore, respectfully beg leave to request that Your Excellency will be pleased to issue your warrant in favor of the Commissioners, for these two sums, amounting to eighteen hundred and two pounds ten shillings and sevenpence, and ten per cent. thereon for contingencies, making in all nineteen hundred and eighty-two pounds fifteen shillings and sevenpence.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Sixth day of February, 1840. }

Messieurs Ruttañ and Manahan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act for altering and amending the charter of the President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company," were read the second time. Amendments to U. C. Bank stock increase bill read second time and committed.

The House was put into a committee of the whole on the same.

Mr. Armstrong in the chair.

The House resumed.

The chairman reported that the committee had amended the amendments, and submitted them for the adoption of the House. Amendments amended.

The report was received.

Ordered—That the amendments, as amended, be read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled "An Act for altering and amending the charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the Capital Stock of the Company," were read the second time. Amendments to Com'l Bank stock increase bill read second time and committed.

The House was put into a committee of the whole on the same.

Mr. Ferrie in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

The amendments were then read the third time and passed.

Messrs. Ferrie and Cartwright were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to increase the Capital Stock of the Gore Bank, and the number of Shares to be held therein," were read the second time.

The House was put into a committee of the whole on the same.

Mr. Cartwright in the chair.

The House resumed.

The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

The amendments were read then the third time and passed.

Messrs. Ferrie and Chisholm of *Halton*, were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Pursuant to the the order of the day, the bill sent down by the Honorable the Legislative Council entitled "An Act to authorize the temporary occupation, by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned," was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Rykert in the chair.

At half-past five of the clock, P. M., Mr. Speaker resumed the chair, and adjourned the House for an hour and half.

The House met again, pursuant to adjournment.

The committee of the whole on the bill sent down by the Honorable the Legislative Council, entitled "An Act to authorize the temporary occupation by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned,"—resumed.

Mr. Rykert in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the bill to-morrow,

In amendment—Mr. Morris, seconded by Mr. Bockus, moves that the bill be not read a third time on to-morrow, but that it be read a third time forthwith, and that the thirty-eighth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the third time and passed.

Messieurs Morris and Thomson were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had agreed to the same without amendment.

Amendments read 3d time and passed.

Amendments to Gore Bank stock increase bill read second time and committed.

Amendments passed.

Bill to allow Kingston University to use the Hospital (L. C.) read 2d time and committed

Adjournment.

House meets.

Committee resumes.

Bill reported.

Bill read third time and passed.

Mr. Speaker reported that the Clerk to the Honorable the Legislative Council had brought down from that Honorable House several messages, and a bill entitled "An Act for the relief of John Stuart," which that Honorable House had passed, and requested the concurrence of this House thereto.

Speaker reports Messages from Leg. Council Stuart's relief bill sent down for concurrence.

The messages were read as follows :

Messages.

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province,'" without any amendment.

Bill to remunerate Receiver General passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Sixth day of February, 1840. }

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to authorise the Receiver General of this Province to borrow a certain sum of money upon debentures, for the purposes therein mentioned," without any amendment.

Debenture bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Sixth day of February, 1840. }

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act granting to Her Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and forty;" also, the bill, entitled, "An Act to regulate the weight of salt;" and also, the bill, entitled, "An Act to revive and make perpetual an Act granting to Her Majesty a duty on Licences to Auctioneers, and on goods, wares, and merchandize sold by Auction," without any amendment.

Supply bill,
Salt weight bill, and
Auctioneers Licence bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Sixth day of February, 1840. }

The bill sent down by the Honorable the Legislative Council entitled "An Act for the relief of John Stuart," was read the first time.

Stuart's relief bill (L. C.) read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the bill be not read a second time to-morrow, but that it be read a time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. McDonell of *Glengarry* in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

Ordered—That the bill be read a third time to-morrow.

3d reading to-morrow.

Thames' mill-dam bill
(U. C.) read second
time and committed.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act to authorize the construction of a mill dam across the river Thames," was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Manahan in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the bill to-morrow,

In amendment—Mr. Parke, seconded by Mr. Robinson, moves that the bill, as amended, be not read a third time to-morrow, but that it be read a third time forthwith, and that the 40th rule of this House be dispensed with for that purpose.

Bill read third time and
passed.

Which was carried, and the bill as amended, was read the third time and passed.

Messieurs Parke and Thorburn were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, to inform that Honorable House that this House had made some amendments thereto, and to request their concurrence to the same.

Amendments to U. C.
Bank stock increase bill,
as amended, read third
time and passed.

Pursuant to the order of the day, the amendments made by this House in and to the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act for altering and amending the charter of the President, Directors and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company,"—were read the third time and passed.

Messieurs Robinson and Solicitor General were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, to inform that Honorable House that this House had made some amendments to their amendments, and to request their concurrence to the same.

On motion of Mr. Bockus, seconded by Mr. Thomson,

Items referred to special
supply transferred to
com. of supply.

Ordered—That the several items referred to special committees of supply, be discharged from the order of the day, and that the same be referred to a committee of supply.

Amendments to
standard measure bill
read 2d time and passed

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled "An Act to alter and amend an Act passed in the thirty-second year of the reign of His late Majesty, King George the Third, entitled 'An Act to establish the Winchester measure throughout this Province,'" were read the second time, concurred in, and passed.

Messieurs Aikman and Ferrie were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Toronto
Incorporation amend-
ment bill read 2d time
and committed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled "An Act to continue an Act passed in the seventh year of the Reign of His late Majesty, King William the Fourth, entitled 'An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled 'An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the city of Toronto,'" were read the second time.

The House was put into a committee of the whole on the same.

Mr. Boulton in the chair.

The House resumed.

Amendments reported
amended.

The chairman reported that the committee had amended the amendments, and submitted them for the adoption of the House.

Division on receiving
report.

On the question for receiving the report, the yeas and nays were taken as follows:—

YEAS.

Messrs. Aikman, Bockus, Boulton, Burritt, Caldwell, Cartwright, Chisholm of Halton, Ferrie, Gowan, Kearnes, Malloch, Manahan, Marks, McDonell of Glengarry, McDonell of Northumberland, McLean, Merritt, Morris, Murney, Prince, Robinson, Rykert, Salmon, Sherwood, Thomson, Wickens, Woodruff—27.

NAYS.

Messrs. Attorney General, Burwell, Chisholm of Glengarry, Cook, Gamble, McCargar, McDonell of Stormont, McIntosh, Shaver, Small—10.

The question was carried in the affirmative by a majority of seventeen, and the report was received. Report received—majority 17.

Ordered—That the amendments, as amended, be read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act to repeal part of, and amend the Militia Laws of this Province," was read the second time. Militia bill (L. C.) read 2d time and committed

The House was put into a committee of the whole on the bill.

Mr. McDonell, of Glengarry, in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the bill and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House, a message, and having delivered the same at the Clerk's table, retired. Message from Legislative Council.

The message was read as follows :

Message.

MR. SPEAKER :

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to repeal, alter, and amend the laws now in force for the regulation of the several macadamized roads within this province," without any amendment. Bill to consolidate turnpike trusts passed Legislative Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Sixth day of February, 1840. }

Mr. Robinson, seconded by Mr. Bockus, moves that the House do now resolve itself into a committee of supply.

Which was carried, and the House was put into a committee of supply accordingly. Com. of whole on supply

Mr. Ruttan in the chair.

The House resumed.

The chairman reported that the committee had made some progress, and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Adjourned.

FRIDAY, 7th February, 1840.

The House met.

The minutes of yesterday were read.

Com. to carry up
address for extension of
time for prorogation
report answer.

Mr. Solicitor General, from the committee to wait upon His Excellency the Governor General with the address praying for an extension of the time for proroguing the Legislature, reported the delivery of the same, and that His Excellency had been pleased to make thereto the following answer :—

GENTLEMEN :

Answer.

I shall have great pleasure in complying with the request of the House of Assembly, to defer the prorogation till Monday next.

Petition of R. Graham
brought up.

Mr. Richardson brought up the petition of Richard Graham, Esquire, Commander in the Royal Navy :— which was laid on the table.

Inn-keepers' Licence
bill (2d) read three
times and passed.

Pursuant to the order of the day, the Innkeepers' Licence bill was the third time and passed.

Title.

Mr. Solicitor General, seconded by Mr. Hotham, moves that the bill be entitled "An Act to continue and make perpetual, parts of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled 'An Act to alter the laws now in force for granting licences to Innkeepers, and to give to the Justices of the Peace in General Quarter Sessions assembled, for the respective districts, authority to regulate the duties hereafter to be paid on such licences'—and for other purposes therein mentioned."

Bill sent to Leg. Council

Which was carried, and Messieurs Solicitor General and Hotham were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Stuart's relief bill (L.
C.) read third time.

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act for the relief of John Stuart"—was read the third time.

On question for passing,

On the question for passing the bill,

Amendment moved—
(Mr. Thorburn.)

In amendment—Mr. Thorburn, seconded by Mr. Thomson, moves that the bill do not now pass, but that the same be referred to a select committee, composed of Messieurs Thomson, Morris, and Sherwood, with power to send for persons and papers, and to report thereon.

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S.

Yeas—11.

Messrs. *Burritt, Chisholm of Glengarry, Cook, McCargar, McMIntosh, McKay, Moore, Shaver, Thomson, Thorburn, Woodruff*—11.

N A Y S.

Nays—26.

Messrs. *Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Elliott, Ferrie Gamble, Hotham, Manahan, Marks, Mathewson, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Merritt, Parke, Powell, Robinson, Ruttan, Rykert, Salmon, Sherwood, Solicitor General*—26.

Amendment lost—
majority 15.

The question of amendment was decided in the negative by a majority of fifteen.

In amendment—Mr. Thorburn, seconded by Mr. Thomson, moves that it be *Resolved*—That inasmuch as marriage is a divine institution, and cannot be dissolved except for the cause of fornication, and as the bill permits the offending party to marry again, which is contrary to the express command of our Divine Redeemer and the inspired Apostles, as expressed in the Gospel according to Saint Matthew, 5th chapter, 31st and 32nd verses—19th chapter, 5th to 9th verse inclusive; and in the Gospel according to Saint Mark, 10th chapter, 11th and 12th verses; and in Saint Paul's Epistle to the Romans, 7th chapter, 2nd and 3rd verses—it do not now pass.

Another amendment moved, (Mr. Thorburn)

On which the yeas and nays were taken as follows :—

Division on amendment

YEAS.

Messrs. *Burritt, Chisholm of Glengarry, Cook, McIntosh, McKay, Moore, Shaver, Thomson, Thorburn, Woodruff*—10. Yeas—10.

NAYS.

Messrs. *Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Dunlop, Elliott, Ferrie, Gamble, Hotham, Manahan, Marks, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Merritt, Murney, Parke, Powell, Robinson, Ruttan, Rykert, Salmon, Sherwood, Small, Solicitor General*—30. Nays—30.

The question of amendment was decided in the negative by a majority of twenty.

Amendment lost—majority 20.

On the original question the yeas and nays were taken as follows:

Division on original question.

YEAS.

Messrs. *Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Dunlop, Elliott, Ferrie, Gamble, Manahan, Marks, Mathewson, McCargar, McCrae, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McLean, Merritt, Murney, Parke, Powell, Robinson, Ruttan, Rykert, Salmon, Sherwood, Small*—28. Yeas—28.

NAYS.

Messrs. *Burritt, Chisholm of Glengarry, Cook, McIntosh, McKay, Moore, Shaver, Thomson, Thorburn, Woodruff*—10. Nays—10.

The question was carried in the affirmative by a majority of eighteen, and the bill was passed.

Bill passed—majority 18.

Messrs. Sherwood and Boulton were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had agreed to the same without amendment.

On the order of the day for the third reading of the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House entitled "An Act to continue an act passed in the seventh year of the Reign of His late Majesty King William the Fourth, entitled 'An Act to alter and amend an act passed in the fourth year of His Majesty's Reign, entitled "An Act to extend the limits of the town of York, to erect the said town into a city, and to incorporate it under the name of the City of Toronto,"'" being called,

Order of day for third reading of amendments to Toronto incorporation amendment bill being called.

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the amendments be not now read a third time, but that the same be re-committed.

Motion to recommit the amendments.

Which was carried, and the House was put into a committee of the whole on the same.

Carried—amendments recommitted.

Mr. Merritt in the chair.

The House resumed.

The chairman reported that the committee had amended the amendments, and submitted them for the adoption of the House.

Amendments reported amended.

The report was received.

Amendments read third time.
Division on passing.

The amendments as amended were then read the third time.

On the question for passing the same, the yeas and nays were taken, as follows:

Y E A S .

Yeas—21.

Messrs. *Bockus, Boulton, Burrill, Burwell, Caldwell, Chisholm* of Halton, *Ferrie, Hotham, Malloch, Manahan, Marks, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McKay, McLean, Murney, Robinson, Ruttan, Rykert, Salmon, Sherwood, Solicitor General, Wickens*—24.

N A Y S .

Nays—11.

Messrs. *Chisholm* of Glengarry, *Cook, Dunlop, McCargar, McDonell* of Stormont, *McIntosh, Moore, Parke, Shaver, Small, Thomson*—11.

Passed—majority 13.

The question was carried in the affirmative by a majority of thirteen, and the amendments were passed.

Messrs. *Sherwood* and *Solicitor General* were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, to inform that Honorable House that this House had agreed to their amendments, with some amendments, and to request their concurrence thereto.

Mr. *Richardson*, seconded by Mr. *Parke*, moves that the petition of *Philip Graham, Esquire*, be now read, and the forty-first rule of this House be dispensed with so far as relates to the same.

Petition of P. Graham read.

Which was carried, and the petition of *Philip Graham, Esquire, Commander in the Royal Navy*, stating that the officer in command of the Militia force before *Navy Island*, in December, 1838, adverted to his conduct (in a letter to the officer in command of the United States troops at *Buffalo*) as "misapprehension of orders," and that the said letter is entered on the Journals of the House,—and praying that so much thereof as relates to him may be expunged from the Journals,—was read.

Petitions referred :
Of J. Stringer and others and of J. Martin and others, to com. on roads and bridges.

On motion of Mr. *Chisholm* of Halton, seconded by Mr. *Shade*,

Ordered—That the petition of *James Stringer* and others, and the petition of *John Martin* and others, be referred to the committee on roads and bridges.

Of R. Graham to select committee.

On motion of Mr. *Richardson*, seconded by Mr. *Manahan*,

Ordered—That the petition of *Richard Graham, Esquire*, be referred to a select committee, to be composed of Messieurs *Solicitor General, Hotham, Chisholm* of Halton, and *Prince*, to report thereon.

Sel. com. on petition of D. McDiarmid present report.

Mr. *McDonell* of Glengarry, from the committee to which was referred the petition of *Donald McDiarmid*, presented a report, which was received and read as follows :

To the Honorable the Commons House of Assembly :

Report.

The Committee to whom were referred the petition of *Donald McDiarmid*, late Lieutenant in the Glengarry Militia, beg leave to report:—

That the petitioner was Lieutenant in the Glengarry Militia during the late war with the United States of America, and was wounded at the capture of *Ogdensburg* in the year 1813, and was placed on the Pension List of this Province till the year 1821. That an inspection of the Militia Pensions took place in that year, but your petitioner being at that time resident in the Lower Province did not hear of it, and not attending at the appointed time and place for such inspection, his name was not returned for continuance on the Pension List.

That the petitioner subsequently applied for an inspection of his wounds, which being granted, had the effect of replacing him on the Pension List on the 26th of October, 1855.

That your Committee, assuming the fact of his re-instatement on the Pension List as proof of the continuance of the disability, is of opinion that the petitioner has an equitable claim to fourteen years pension as an officer wounded in action with the enemy.

All of which is respectfully submitted.

D. MACDONELL,
CHAIRMAN.

Committee Room, House of Assembly, }
Fourth of February, 1840. }

On motion of Mr. McDonell of *Glengarry*, seconded by Mr. McLean,

Ordered—That the report of the select committee on the petition of Lieutenant Donald McDiarmid, of the *Glengarry Militia*, be referred to a committee of supply this day.

Report referred to supply.

Pursuant to notice, Mr. McDonell of *Glengarry*, seconded by Mr. Ruttan, moves that this House do now resolve itself into a committee of supply, for the purpose of granting to Her Majesty the sum of two hundred pounds, to be paid to the Honorable Archibald McLean, late Speaker of this House, in addition to his salary during the first Session of this Parliament.

Committee of supply on salary of late Speaker, (Mr. McLean.)

Which was carried, and the House was put into a committee of supply accordingly.

Mr. McDonell of *Northumberland*, in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

On the question for receiving the report, the yeas and nays were taken, as follows:

Division on receiving report.

YEAS.

Messrs. *Aikman, Bockus, Boulton, Caldwell, Chisholm* of *Glengarry*, *Cook, Ferrie, Gamble, Mathewson, McCrae, McDonell* of *Stormont*, *McIntosh, McMicking, Merritt, Morris, Rykert, Salmon, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff*—23.

Yeas—23.

NAYS.

Messrs. *Burwell, Hotham, Kearnes, Manahan, McDonell* of *Glengarry*, *McDonell* of *Northumberland*, *McLean, Prince, Robinson, Ruttan*—10.

Nays—10.

The question was carried in the affirmative by a majority of thirteen, and the report was received.

Report received—majority 13.

The Clerk to the Honorable the Legislative Council brought down from that Honorable House several messages, and the bill entitled, "An Act to incorporate the Farmers' Joint Stock Banking Company, under the style and title of the President, Directors, and Company of the Farmers' Bank," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Messages from Legislative Council. Farmers' Bank bill sent down amended.

The messages were read as follows:

Messages.

MR. SPEAKER:

The Legislative Council have adopted the amendment made by the Assembly in and to the amendments of this House, made in and to the bill entitled "An Act for altering and amending the charter of the President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company."

Amendments to U. C. Bank stock increase bill passed Leg. Council

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Seventh day of February, 1840. }

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to continue an Act passed in the seventh year of His late Majesty's reign, entitled 'An Act granting a salary to the Clerk of the Crown-in-Chancery, and for other purposes therein mentioned'—also the bill entitled "An Act to amend and make permanent an Act passed in the fifth year of His late Majesty's reign, entitled 'An Act to prevent the sale of spirituous liquors to Indians'—also the bill entitled "An Act to authorise certain duties to be imposed and collected on wooden stills within this Province, and for other purposes therein mentioned"—also the bill entitled "An Act for the relief of Allan McDonell, Esquire, the Sheriff of the Midland District"—and also the bill entitled "An Act to provide for the relief of William Kingsmill and William Chisholm, Esquires"—without any amendment.

Clerk of Crown in Chancery's salary continuation bill,

Bill to prevent sale of liquors to Indians, Still duty bill (2d), Bill for relief of A. McDonell, Esq., and Bill for relief of Kingsmill and Chisholm, passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Seventh day of February, 1840. }

Amendments to
Farmers' Bank bill
read first time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to incorporate the Farmers' Joint Stock Banking Company, under the style and title of the President, Directors and Company, of the Farmers' Bank," were read the first time, as follows:—

Amendments.

Press 2, Line 3,—After "Bank" insert "and by that name they and their successors shall have continued succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever; in all manner of actions, suits, complaints, matters, and causes whatsoever, and that they and their successors may have a common seal and may change and alter the same at their pleasure; and also, that they and their successors by the same name of the President, Directors and Company of the Farmers' Bank, shall be in law capable of purchasing, holding, or conveying any estate, real or personal, for the use of the corporation under the limitations contained in this Act."

Press 7, Line 14,—After "personal" insert "or other property."

Press 18, Line 22,—After "Joint" insert "Stock."

Press 19, Line 2,—Add to the bill "34, *And be it further enacted by the authority aforesaid*, That in case it should at any time happen that an election of Directors should not be made on any day when pursuant to this Act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but that it shall and may be lawful on any other day to hold and make an election of Directors in such manner as shall have been regulated by the bye-laws and and regulations of the said corporation.

"35, *And be it, &c.* That the Directors for the time being, or the major part of them, shall have power to make and subscribe such rules and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of the said corporation, and touching the duties and conduct of the officers, clerks, and servants employed therein, and such other matters as appertain to the business of a Bank, and shall have full power to appoint as many officers, clerks, and servants for carrying on the said business, and with such salaries and allowances as to them shall seem meet, provided that such rules and regulations be not repugnant to the laws of this Province.

"36, *And be it, &c.* That the said corporation shall not demand any greater interest on any loan or discount than at the rate of six per centum per annum.

"37, *And be it, &c.* That nothing herein contained shall be taken or construed to prevent the Legislature of this Province, at any time hereafter, from making such provisions as to the amount and description of notes which may be issued by the said Bank as may be deemed necessary, nor shall any thing herein contained be construed to prevent the Legislature from applying to the said Bank any provisions or restrictions, which by any Act of the Parliament of this Province, may be applied or enforced with respect to any of the Banks of Upper Canada.

"38, *And be it, &c.* That the funds of the Bank shall not be employed in loans or advances upon lands or other property, not readily convertible into money, nor in the purchase of any property, but be confined to what are understood to be the legitimate operations of Banking; namely, advances upon Commercial paper or Government securities and general dealing in money and Bills of Exchange.

"39, *And be it, &c.* That if at any time, after the passing of this Act, the said President, Directors and Company should refuse on demand being made at their Banking House, or at any Branch or Branches already, or which may hereafter be established during the regular hours of doing business, to redeem in specie or other lawful money of this Province, their said bills, notes, or other evidences of debt, issued by the said Company and made payable at their Banking House, or at such Branch or Branches, for the period of six months, then and in such case the charter shall be forfeited."

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Seventh day of February, 1840. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to morrow

On motion of Mr. Shade, seconded by Mr. Gamble,

Ordered—That two hundred copies of the report of the trustees of the Hamilton and Brantford macadamized road, and also of the Kingston and Napanee macadamized road, be printed for the use of members.

200 copies of report on Hamilton and Brantford road, And of Kingston and Napanee road to be printed.

On motion of Mr. Mathewson, seconded by Mr. Manahan,

Ordered—That two hundred copies of the report of the inspectors and warden of the Provincial Penitentiary, and the appendix thereto, be printed for the use of members.

200 copies of Penitentiary report to be printed

Pursuant to the order of the day, the House was again put into a committee of the whole on supply.

Com. of whole again on supply.

Mr. Wickens in the chair.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Mr. Speaker resumed the chair to receive a message from His Excellency the Governor General.

Message.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again this day.

Resolutions reported—sit again this day.

The report was received, and leave granted accordingly.

The following resolutions were severally put and carried :

Resolved—That there be granted to Her Majesty the sum of sixty-two pounds ten shillings, annually, to enable Her Majesty to pay a pension of the like amount to Lewis Bright and his wife during the remainder of their lives.

1st Resolution :
£62 10s per annum, pension to L. Bright.

Resolved—That there be granted to Her Majesty the sum of five thousand six hundred and fifty pounds, to provide, in part, for the support of common schools within this province.

2d Resolution :
£5650, Common Schools.

Resolved—That there be granted to Her Majesty the sum of five thousand one hundred and fifty pounds, to enable Her Majesty to provide for the support and maintenance of the Provincial Penitentiary, and to enable the inspectors of the said institution to pay to the deputy warden the sum of three hundred pounds, on his leaving the said institution, and the said money to be expended in the maintenance and support of the prisoners, and not in the erection of buildings, excepting construction of the wall round the prison.

3d Resolution :
£5150, Provincial Penitentiary.

Resolved—That there be granted to Her Majesty, Her Heirs and Successors, the annual sum of twenty pounds, to enable Her Majesty to provide a pension for the widow of the late William Kerry, of Bear Creek, in the township of Dawn, Western District, and in case of her death or marriage, then to the eldest child, or lawful guardian of such child, for the use of all the children of the said William Kerry, until the youngest shall have attained the age of twenty-one years.

4th Resolution :
£20 per annum, pension to Mrs. Kerry.

The fifth resolution was put as follows :

Resolved—That there be granted to Her Majesty the sum of twenty pounds, to enable Her Majesty to make up the deficiency of the salary of Samuel B. Smith, third clerk in the Executive Council office, for the year 1839.

5th Resolution :
£20, Deficiency in salary of S. B. Smith.

Division on 5th resolution.

On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—22.

Messrs. *Burwell, Cartwright, Chisholm* of Halton, *Hotham, Kearnes, Manahan, Marks, Mathewson, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, McMicking, Morris, Prince, Robinson, Ruttan, Shade, Small, Thorburn*—22.

N A Y S .

Nays—16.

Messrs. *Aikman, Attorney General, Burrill, Chisholm* of Glengarry, *Cook, Ferrie, Hunter, Malloch, McIntosh, Merritt, Moore, Rykert, Shaver, Sherwood, Solicitor General, Thomson*—16.

Resolution adopted—majority 6.

The question was carried in the affirmative by a majority of six, and the resolution was adopted.

6th Resolution :

The sixth and seventh resolutions were severally put and carried, as follows :

£350, House of Industry.

Resolved—That there be granted to Her Majesty the sum of three hundred and fifty pounds, to enable Her Majesty to grant a like sum in aid of the House of Industry in the city of Toronto.

7th Resolution :

£20, per annum, pension to Joseph Randall.

Resolved—That there be granted to Her Majesty, her heirs and successors, the sum of twenty pounds, to enable Her Majesty to provide a pension for Joseph Randall, of the town of Chatham, in the Western District for his life.

8th Resolution :

The eighth resolution was put, as follows :

£43 8s 4d to N. H. Baird, Engineer, for services.

Resolved—That the sum of forty three pounds eight shillings and four pence be granted to Her Majesty, to enable Her Majesty to pay the like sum to Nichol H. Baird, Esquire, Engineer, for his attendance before a committee of this House with plans and estimates, at different periods in the years 1836 and 1837, in order to give evidence before such committee in regard to the improvement of the River Trent.

Division on 8th Resolution.

On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—26.

Messrs. *Armstrong, Burrill, Chisholm* of Halton, *Hotham, Kearnes, Manahan, Marks, Mathewson, McDonell*, of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, McMicking, Merritt, Moore, Morris, Parke, Prince, Robinson, Ruttan, Rykert, Shaver, Sherwood, Thomson, Wickens*—26.

N A Y S .

Nays—14.

Messrs. *Aikman, Attorney General, Burwell, Cartwright, Chisholm* of Glengarry, *Cook, Ferrie, Gowan, Hunter, Malloch, McIntosh, Shade, Small, Solicitor General*—14.

Resolution adopted—majority 12.

The question was carried in the affirmative by a majority of twelve, and the resolution was adopted.

9th Resolution :

The ninth resolution was put, as follows :

£100 to S. Hodgkinson arrears of pension.

Resolved—That there be granted to Her Majesty the sum of one hundred pounds, to enable Her Majesty to pay the like sum of one hundred pounds to Samuel Hodgkinson in full of his claim for back pension as a militia-man disabled while on actual service during the late war with the United States of America.

Division on resolution.

On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—14.

Messrs. *Armstrong, Burwell, Kearnes, Manahan, McDonell* of Glengarry, *McDonell* of Stormont, *McKay, McLean, McMicking, Merritt, Prince, Ruttan, Rykert, Wickens*—14.

N A Y S.

Messrs. Aikman, Attorney General, Bockus, Burritt, Cartwright, Chisholm of Halton, Chisholm of Glegarry, Cook, Ferrie, Gowan, Hotham, Hunter, Malloch, Marks, Mathewson, McCargar, McDonell of Northumberland, McIntosh, Morris, Parke, Robinson, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson—27.

The question was decided in the negative by a majority of thirteen.

Lost—majority 13.

The tenth resolution was read, as follows :

10th Resolution :

Resolved—That the sum of one hundred and fifty pounds be granted to Her Majesty, to enable Her Majesty to pay to Lieutenant Donald McDiarmid the amount due to that officer for arrears of pension.

£150 to D. McDiarmid, arrears of pension.

On which the yeas and nays were taken as follows :

Division on 10th Resolution.

Y E A S .

Messrs. Armstrong, Chisholm of Glengarry, Gowan, Hotham, Hunter, Kearnes, Manahan, Mathewson, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Prince, Ruttan, Sherwood, Wickens—17.

Yeas—17.

N A Y S .

Messrs. Aikman, Attorney General, Bockus, Burritt, Burwell, Cartwright, Chisholm of Halton, Cook, Ferrie, Gamble, Malloch, Marks, McCargar, McIntosh, McMicking, Morris, Robinson, Salmon, Shade, Shaver, Small, Solicitor General, Thomson, Woodruff—24.

Nays—24.

The question was decided in the negative, by a majority of seven.

Lost—majority 7.

The eleventh resolution was put as follows :

11th Resolution :

Resolved—That there be granted to Her Majesty, the sum of five thousand five hundred pounds, to enable Her Majesty to pay the like sum to the University of King's College, for money appropriated to the support of education, which was inadvertently expended by the Receiver General in the redemption of Provincial Debentures past due.

£5500, to repay advance from College funds.

The twelfth resolution was put as follows :

12th Resolution :

Resolved—That there be granted to Her Majesty, the sum of two hundred pounds, to enable Her Majesty to pay a like sum to the Trustees of the Ancaster Literary Institution, to liquidate a debt contracted in erecting a building for said Institution.

£200, Ancaster Literary Institution.

On the which the yeas and nays were taken as follows :

Division on 12th Resolution.

Y E A S .

Messrs. Aikman, Armstrong, Boulton, Burritt, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Ferrie, Gamble, Hotham, Kearnes, Manahan, Marks, Mathewson, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Parke, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Small, Solicitor General, Thomson, Woodruff,—33.

Yeas—33.

N A Y S .

Messrs. Attorney General, Bockus, Burwell, Cook, Hunter, Malloch, Morris, Salmon, Thorburn,—9.

Nays—9.

The question was carried in the affirmative, by a majority of twenty-four, and the resolution was adopted.

Resolution adopted—majority 24.

The thirteenth resolution was put, as follows :

13th Resolution :

Resolved—That there be granted to Her Majesty, the sum of one hundred pounds, to enable Her Majesty to appropriate that sum to the erection of a Bridge across the ravine on the post road, commonly known as Dundas Street, at lot number thirty-four, first concession, township of Osnabruck, Eastern District,—provided that an appropriation of fifty pounds be made by the magistrates of the said district.

£100 Osnabruck bridge

Division on 13th Resolution.

On which the yeas and nays were taken, as follows :

Y E A S.

Yeas—24.

Messrs. *Aikman, Chisholm* of Halton, *Chisholm* of Glengarry, *Gamble, Hotham, Kearnes, Manahan, Marks, Mathewson, McCargar, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, Merritt, Morris, Prince, Ruttan, Rykert, Shaver, Small, Thomson, Thorburn*—24.

N A Y S.

Nays—16.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Cartwright, Cook, Hunter, Malloch, McIntosh, Parke, Robinson, Salmon, Shade, Solicitor General*—16.

Resolution adopted—majority 8.

The question was carried in the affirmative by a majority of eight, and the resolution was adopted

On motion of Mr. Robinson, seconded by Mr. Morris,

Com. to draft bills on resolutions.

Ordered—That Messrs. Gamble and Hotham be a committee to draft and report bills pursuant to the foregoing resolutions.

Speaker reports messages from Gov. General

Mr. Speaker reported that Mr. Secretary Murdoch had brought down from His Excellency the Governor General several messages and documents.

The messages were read by the Speaker, as follows :—

C. POULETT THOMSON:

Message, with report of Commissioners, (Education.)

The Governor General transmits herewith to the House of Assembly, with reference to his former messages, the Report of the Commissioners appointed to inquire into the Public Departments, on the subject of Education in this Province.

Toronto,
Seventh day of February, 1840.

C. POULETT THOMSON:

Message, with report of Board of Education, Home District.

The Governor General transmits for the information of the House of Assembly, the Report made to him by the Board of Education of the Home District, for the year 1839.

Toronto,
Seventh day of February, 1840.

C. POULETT THOMSON:

Message, with report on erection of gaols.

The Governor General transmits herewith for the information of the House of Assembly, the Report made to him by the Commissioners appointed under the Statute 1st Victoria, chap. 5, regulating the future erection of Gaols in this Province.

Toronto,
Seventh day of February, 1840.

C. POULETT THOMSON:

Message with certain population and assessment returns.

The Governor General transmits herewith to the House of Assembly, the Population and Assessment Returns received from the Clerks of the Peace of the Newcastle and London Districts, which have been prepared in compliance with the address of the House, dated 20th of January last.

Toronto,
Seventh day of February, 1840.

C. POULETT THOMSON:

The Governor General transmits herewith to the House of Assembly, the Message, with return of suits in Chancery. Return received from the Registrar of the Court of Chancery, which has been prepared in compliance with the address of the House, of the 29th January last.

Toronto,
Seventh day of February, 1840.

For Report of Commissioners on Public Departments (Education.)

Report of Board of Education, Home District.

Report of Commissioners on erection of Gaols.

Sundry Population and Assessment Returns, &c. and

Return of Suits in Chancery—See Appendix.

Mr. Hotham, from the select committee to draft bills pursuant to the resolutions reported from the committee on supply, reported the drafts of seven bills. Com. to draft bills on supply report 7 bills.

The bill granting a pension to Lewis Bright, was read the first time.

Bright's pension bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Robinson, seconded by Mr. Gamble, moves that the bill be not read a second time on to-morrow, but that it be read a second time forthwith, and the fortieth rule dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

The bill granting a pension to Joseph Randall was read the first time.

Randall's pension bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Robinson, seconded by Mr. Prince, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

The bill granting a sum of money in aid of the funds of the House of Industry was read the first time. House of Industry support bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Robinson, seconded by Mr. Solicitor General, moves that the bill be not read a second time on to-morrow, but that it be read a second time forthwith, and the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Gamble in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Common School support bill read first time.

The bill for the support of Common Schools, for the year 1840, was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Thomson, seconded by Mr. Robinson, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Solicitor General in the chair.

The House resumed.

Bill reported amended.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

On motion of Mr. Ruttan, seconded by Mr. Manahan,

Dr. Rolph's letter transferred from sel. com. to com. of supply.

Ordered—That the committee on emigration be discharged from the further consideration of the application of Dr. Thomas Rolph, and that the said application be referred to the committee of the whole House on supply this day.

Penitentiary support bill read first time.

The bill for the support of the Provincial Penitentiary for the year 1840, was read the first time.

On the question for the second reading of the bill to-morrow.

In amendment—Mr. Cartwright, seconded by Mr. Boulton, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Manahan in the chair.

The House resumed.

Bill reported.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

3d reading to-morrow.

Ordered—That the bill be engrossed and read a third time to-morrow.

Kerry's pension bill read first time.

The bill granting a pension to the widow and children of the late William Kerry was read the first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Robinson, seconded by Mr. Prince, moves that the bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time.	Bill read second time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Manahan in the chair.	
The House resumed.	
The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.	Bill reported.
The report was received.	
<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.	3d reading to-morrow.
The Osnabruck bridge bill was read the first time.	Osnabruck bridge bill read first time.
On the question for the second reading of the bill to-morrow,	
<i>In amendment</i> —Mr. Robinson, seconded by Mr. Prince, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and the fortieth rule of this House be dispensed with for that purpose.	
Which was carried, and the bill was read the second time.	Bill read second time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Manahan in the chair.	
The House resumed.	
The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.	Bill reported.
The report was received.	
<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the bill to extend the time for the re-payment of the Oakville Harbor loan, was read the second time.	Oakville Harbor loan continuation bill read 2d time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Sherywood in the chair.	
The House resumed.	
The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.	Bill reported amended.
The report was received.	
<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the bill to continue the Act for mitigating the punishment of imprisonment for debt, was read the second time.	Imprisonment for debt mitigation bill read 2d time and committed.
The House was put into a committee of the whole on the bill.	
Mr. McDonell of <i>Northumberland</i> in the chair.	
The House resumed.	
The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.	Bill reported.
The report was received.	
<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.	3d reading to-morrow.
Pursuant to the order of the day, the bill to continue the Act for decreasing the expense of law-suits, was read the second time.	Law-suit lessening bill read second time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Robinson in the chair.	
The House resumed.	
The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.	Bill reported.
The report was received.	
<i>Ordered</i> —That the bill be engrossed, and read a third time to-morrow.	3d reading to-morrow.

- Militia Pension continuation bill read 2d time and committed.
- Pursuant to the order of the day, the bill to continue the Militia Pension Act was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Manahan in the chair.
- The House resumed.
- Bill reported amended.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House,
- The report was received.
- 3d reading to-morrow.
- Ordered*—That the bill be engrossed and read a third time to-morrow.
- Bill to regulate Collectors and Inspectors read 2d time and committed.
- Pursuant to the order of the day, the bill to amend the law respecting Collectors and Inspectors, was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Robinson in the chair.
- The House resumed.
- Bill reported.
- The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow.
- Ordered*—That the bill be engrossed and read a third time to-morrow.
- Shop-keepers' License bill read second time and committed.
- Pursuant to the order of the day, the Shopkeepers' License bill was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Attorney General in the chair.
- Mr. Speaker resumed the chair on a question of order.
- Mr. Speaker left the chair.
- The chairman resumed the chair of committee.
- The House resumed.
- Bill reported amended.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow.
- Ordered*—That the bill be engrossed and read a third time to-morrow.
- Amendments to Farmers' Bank bill read 2d time and committed.
- Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to incorporate the Farmers' Joint Stock Banking Company, under the style and title of the President, Directors and Company of the Farmers' Bank," were read the second time.
- The House was put into a committee of the whole on the same.
- Mr. Cartwright in the chair.
- The House resumed.
- Reported without amendment.
- The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.
- The report was received.
- On the question for the third reading of the amendments to-morrow,
- In amendment*—Mr. Sherwood, seconded by Mr. Cartwright, moves that the amendments be not read a third time to-morrow, but that they be read a third time forthwith, and that the thirty-eighth rule of this House be dispensed with as far as it relates to the same.
- Amendments passed.
- Which was carried, and the amendments were read the third time and passed.
- Messieurs Sherwood and Thomson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Pursuant to the order of the day, the bill to indemnify sufferers by incendiarism, since 4th December, 1837, was read the second time.

Bill to indemnify sufferers by incendiarism since 1837 read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Bockus in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

On motion of Mr. Morris, seconded by Mr. Small,

Ordered—That the message of His Excellency the Governor General, of the 1st instant, with the accompanying documents, being the appendices to the reports of the special commission on public departments, with the account of the expenses of the said commission, be referred to the select committee to whom was referred that part of the speech of His Excellency, at the opening of the present session, relating to public departments; and that five hundred copies of the report on education be printed.

Message, with Appendices to reports of commissioners referred to committee on public departments.

500 copies of report on education to be printed.

On motion of Mr. Merritt, seconded by Mr. McKay,

Ordered—That Messieurs Prince and Rykert be a committee to draft and report an address to His Excellency the Governor General, to know when he will be pleased to receive this House with the several addresses to Her Majesty.

Address to Gov. Gen'l to transmit addresses to Her Majesty ordered

Mr. Hotham, from the committee to draft bills pursuant to the resolutions reported by the committee of supply, reported the drafts of two bills.

Com. to draft bills on supply report two bills.

The report was received.

The bill granting a sum of money to the Ancaster Literary Institution was read the first time.

Bill to make a grant to Ancaster Literary Institution read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Aikman, seconded by Mr. Ferrie, moves that the bill to relieve the trustees of the Ancaster Literary Institution be not read a second time on to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. McKay in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

Ordered—That the bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

The bill to make good a deficiency in the salary of Samuel B. Smith, was read the first time.

Smith's salary bill read first time.

On the question for the second reading of the bill to-morrow,

In amendment—Mr. Robinson, seconded by Mr. Gamble, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and the fortieth rule of this House dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Ferrie in the chair.

The House resumed.

- Bill reported. The chairman reported that the committee had agreed to the bill without amendment, and submitted for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Sel. com. on emigration present report and address to Her Majesty thereon. Mr. Attorney General, from the select committee on Emigration, presented a report and the draft of an address to Her Majesty, which were received.
The report was read, as follows:—
- To the Honorable the Commons House of Assembly:*
- Report. The Select Committee on Emigration respectfully recommend the adoption of the following address to Her Majesty.
- CHRISTOPHER A. HAGERMAN,
CHAIRMAN.
- Committee Room, House of Assembly, }
Sixth day of February, 1840. }
-
- Address read. The address was read the first time.
On the question for the second reading of the address to-morrow,
In amendment—Mr. Attorney General, seconded by Mr. Robinson, moves that the address be read a second time forthwith.
- Address read 2d and committed. Which was carried, and the address was read the second time.
The House was put into a committee of the whole on the same.
Mr. Thomson in the chair.
The House resumed.
- Address reported amended. The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.
The report was received.
- 3d reading to-morrow. *Ordered*—That the address be engrossed and read a third time to-morrow.
- Bill to relieve Receiver General from certain responsibility brought in. Pursuant to notice, Mr. Attorney General, seconded by Mr. Robinson, moves for leave to bring in a bill to limit the time for holding Her Majesty's Receiver General of this Province liable for the validity of certain payments heretofore made by him.
- Bill read. Which was granted, and the bill was read the first time.
On the question for the second reading of the bill to-morrow.
In amendment—Mr. Attorney General, seconded by Mr. Robinson, moves that the bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with for that purpose.
- Bill read second time and committed. Which was carried, and the bill was read the second time.
The House was put into a committee of the whole on the bill.
Mr. Manahan in the chair.
The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
The report was received.
- No notice having been given in *Gazette* bill rejected. The bill being now noticed as a private bill, and no notice thereof being given in the *Gazette*, no further question was put thereon.
- Address on sending Receiver General to England read second time and committed. Pursuant to the order of the day, the address to His Excellency the Governor General on sending the Receiver General to England, was read the second time.
The House was put into a committee of the whole on the address.

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had risen.

Committee rises.

On the question for receiving the report, the yeas and nays were taken as follows:—

Division on receiving report.

YEAS.

Messrs. *Armstrong, Attorney General, Chisholm of Halton, Chisholm of Glengarry, Cook, Hotham, Malloch, McCargar, McDonell of Glengarry, Shaver, Sherwood, Solicitor General*—12.

Yeas—12.

NAYS.

Messrs. *Aikman, Bockus, Boulton, Hunter, Manahan, McMicking, Merritt, Robinson, Thomson, Thorburn*—10.

Nays—10.

The question was carried in the affirmative by a majority of two, and the report was received.

Report received—majority 2.

Adjourned.

SATURDAY, 8th February, 1840.

The House met.

The minutes of yesterday were read.

Pursuant to the order of the day, the bill granting a pension to Lewis Bright was read the third time and passed.

Bright's pension bill read 3d time and passed

Mr. Robinson, seconded by Mr. Gamble, moves that the bill be entitled, "An Act to remunerate Lewis Bright, for his long and faithful services, by granting a pension to him and his aged wife, or the survivor of them, during their natural lives."

Title.

Which was carried, and Messieurs Robinson and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

Pursuant to the order of the day, the bill granting a pension to Joseph Randall, was read the third time and passed.

Randall's pension bill read 3d time and passed

Mr. Prince, seconded by Mr. McCrae, moves that the bill be entitled, "An Act granting a pension to Joseph Randall, who lost his arm in the service of Her Majesty."

Title.

Which was carried, and Messieurs Prince and McCrae were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

Pursuant to the order of the day, the bill granting a sum of money in aid of the funds of the House of Industry was read the third time and passed.

House of Industry grant bill read third time and passed.

Mr. Solicitor General, seconded by Mr. Malloch, moves that the bill be entitled "An Act to afford assistance to the House of Industry, in the City of Toronto."

Title.

- Bill sent to Leg. Council Which was carried, and Messieurs Solicitor General and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Order of day for third reading Common School bill being called. On the order of the day, for the third reading of the bill for the support of Common Schools, for the year 1840. being called,
In amendment—Mr. Hunter, seconded by Mr. Robinson, moves that the bill be not now read a third time, but that it be recommitted forthwith, for the purpose of amending the same.
- Bill recommitted. Which was carried, and the House was put into a committee of the whole on the bill.
 Mr. Robinson in the chair.
 The House resumed.
- Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
 The report was received.
- Bill read third time and passed. Title. The bill was then read the third time and passed.
 Mr. Thomson, seconded by Mr. Boulton, moves that that the bill be entitled "An Act granting a sum of money for the support of Common Schools for the year of our Lord one thousand eight hundred and forty."
- Bill sent to Leg. Council Which was carried, and Messieurs Thomson and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Penitentiary support bill read third time and passed. Title. Pursuant to the order of the day, the bill for the support of the Provincial Penitentiary, was read the third time and passed.
 Mr. Cartwright, seconded by Mr. Marks, moves that the bill be entitled "An Act to provide for the support and maintenance of the Provincial Penitentiary."
- Bill sent to Leg. Council Which was carried, and Messieurs Cartwright and Marks were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Osnabruck road bill read third time. Pursuant to the order of the day, the Osnabruck Road bill was read the third time.
- Division on passing. On the question for passing the bill, the yeas and nays were taken, as follows :
- Y E A S .
- Yeas—27. Messrs. Aikman, Armstrong, Boulton, Burrill, Caldwell, Chisholm of Glengarry, Dunlop, Elliott, Ferrie, Gamble, Kearnes, Marks, Mathewson, McCargar, McDonell of Glengarry, McDonell of Stormont, McLean, McMicking, Morris, Parke, Prince, Rykert, Shaver, Thomson, Thorburn, Wickens, Woodruff—27.
- N A Y S .
- Nays—6. Messrs. Bockus, Burwell, Cook, Hunter, Malloch, McIntosh, Robinson, Salmon—6.
- Bill passed—majority 19. Title. The question was carried in the affirmative by a majority of nineteen, and the bill was passed.
 Mr. McDonell of Stormont, seconded by Mr. Aikman, moves that the bill be entitled "An Act granting to Her Majesty a sum of money, for the erection of a Bridge over the ravine on the Post-road at lot number thirty-four, first concession, township of Osnabruck, county of Stormont, Eastern District."
- Bill sent to Leg. Council Which was carried, and Messieurs McDonell of Stormont, and Aikman were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Oakville Harbor loan continuation bill read 3d time and passed. Pursuant to the order of the day, the bill to extend the time for the repayment of the Oakville Harbor loan, was read the third time and passed.

- Mr. Robinson, seconded by Mr. Aikman, moves that the bill be entitled "An Act to extend the time for repaying the loan to the Oakville Harbor." Title.
- Which was carried, and Messieurs Robinson and Aikman were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council
- Pursuant to the order of the day, the bill to continue the Militia Pension Act was read the third time and passed. Militia Pension continuation bill read 3d time and passed.
- Mr. Hotham, seconded by Mr. Bockus, moves that the bill be entitled, "An act to make permanent an act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, 'An act to continue the act granting Militia Pensions.'" Title.
- Which was carried, and Messieurs Hotham and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council
- Pursuant to the order of the day, the bill to continue the act for mitigating the punishment of imprisonment for debt was read the third time. Imprisonment for debt mitigation bill read third time.
- On the question for passing the bill,
- In amendment*—Mr. Robinson, seconded by Mr. Rykert, moves that the bill do not now pass, but that it be recommitted forthwith, for the purpose of amending the same, by providing that persons may be arrested and held to bail for any sum exceeding two pounds.
- Which was carried, and the House was put into a committee of the whole on the bill. Bill recommitted.
- Mr. Burwell in the chair.
- The House resumed.
- The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.
- The report was received.
- Ordered*—That the bill be engrossed and read a third time this day. 3d reading to-day.
- Pursuant to the order of the day, the Shopkeepers' Licence bill was read the third time and passed. Shop-keepers' Licence bill read third time and passed.
- Mr. Robinson, seconded by Mr. Bockus, moves that the bill be entitled, "An act to make perpetual an act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled, 'An act to repeal and amend certain parts of an act passed in the thirty-sixth year of the reign of King George the Third, entitled, 'An act to amend an act for regulating the manner of licensing Public Houses, and for the more easy conviction of persons selling spirituous liquors without licence,'" and for regulating the duty to be levied on licences to Shopkeepers,'" Title.
- Which was carried, and Messieurs Robinson and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council
- Pursuant to the order of the day, the bill to amend the law respecting Collectors and Inspectors was read the third time and passed. Collectors and Inspectors' regulation bill read 3d time and passed.
- Mr. Robinson, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to regulate the time for making returns and payments by Collectors and other persons receiving the public revenues of this Province, and for other purposes therein mentioned." Title.
- Which was carried, and Messieurs Robinson and Bockus were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council
- Pursuant to the order of the day, the bill to indemnify sufferers by incendiarism since 4th December, 1838, was read the third time and passed. Bill to indemnify sufferers from incendiarism since 1838 (2d) read 3d time and passed.
- Mr. Boulton, seconded by Mr. Ruttan, moves that the bill be entitled, "An Act to make provision to indemnify persons from losses occasioned by the acts of incendiaries, between the fourth day of December, in the year of our Lord one thousand

eight hundred and thirty-eight, and the first day of January, one thousand eight hundred and forty."

Bill sent to Leg. Council

Which was carried, and Messieurs Boulton and Ruttan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Ancaster Literary Institution aid bill read 3d time and passed.

Pursuant to the order of the day, the bill granting a sum of money to the Ancaster Literary Institution, was read the third time and passed.

Title.

Mr. Aikman, seconded by Mr. Ferrie, moves that the bill be entitled, "An Act granting a sum of money in aid of the Ancaster Literary Institution, and for other purposes therein mentioned."

Bill sent to Leg. Council

Which was carried, and Messieurs Aikman and Ferrie were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Smith's salary bill read third time.

Pursuant to the order of the day, the bill to make good a deficiency in the salary of Samuel B. Smith for the year 1839, was read the third time.

Division on passing.

On the question for passing bill, the yeas and nays were taken as follows :

Y E A S .

Yeas—18.

Messrs. *Boulton, Burwell, Cartwright, Chisholm* of Glengarry, *Dunlop, Gamble, Kearnes, Manahan, Marks, McDonell* of Northumberland, *McDonell* of Stormont, *McLean, Richardson, Ruttan, Salmon, Sherwood, Wickens*—18.

N A Y S .

Nays—11.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Cook, Hunter, McIntosh, Moore, Rykert, Solicitor General, Thomson*—11.

Bill passed—majority 7

The question was carried in the affirmative by a majority of seven, and the bill was passed.

Title.

Mr. Robinson, seconded by Mr. Gamble, moves that the bill be entitled "An Act granting a sum of money to Samuel B. Smith, to make good a deficiency in his salary, as one of the junior clerks in the Executive Council Office, for the year of our Lord one thousand eight hundred and thirty-nine."

Bill sent to Leg. Council

Which was carried, and Messieurs Robinson and Gamble were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Kerry's pension bill read 3d time and passed.

Pursuant to the order of the day, the bill granting a pension to the widow and children of the late William Kerry was read the third time and passed.

Title.

Mr. Prince, seconded by Mr. McCrae, moves that the bill be entitled, "An act granting a pension to the widow and children of the late William Kerry, who was killed in the service of Her Majesty."

Bill sent to Leg. Council

Which was carried, and Messieurs Prince and McCrae were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Imprisonment for debt mitigation bill read third time.

Pursuant to the order of the day, the bill to continue the act for mitigating the punishment of imprisonment for debt was read the third time.

Division on passing.

On the question for passing the bill, the yeas and nays were taken, as follows:

Y E A S .

Yeas—13.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Cook, Ferrie, Hotham, Malloch, Marks, Robinson, Rykert, Salmon, Shade*—13.

N A Y S .

Nays—19.

Messrs. *Aikman, Burritt, Burwell, Chisholm* of Glengarry, *Manahan, Mathewson, McCrae, McDonell* of Glengarry, *McDonell* of Northumberland, *McDonell* of Stormont, *Parke, Richardson, Ruttan, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—19.

The question was decided in the negative by a majority of six.

Lost—majority 6.

On the order of the day, for the third reading of the bill to continue the Act for preventing the unnecessary multiplication of law-suits being called,

Order of day for third reading of law-suit lessening bill being called.

In amendment—Mr. Solicitor General, seconded by Mr. Malloch, moves that the bill be not now read a third time, but that it be recommitted, for the purpose of amending the same.

Which was carried, and the House was put into a committee of the whole on the bill.

Bill recommitted.

Mr. Bockus in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

On the question for the third reading of the bill, as amended, on Monday next,

In amendment—Mr. Solicitor General, seconded by Mr. Malloch, moves that the bill be not read a third time on Monday next, but that it be read a third time this day.

Which was carried, and the bill, as amended, was ordered to be read a third time this day.

3d reading to-day.

Mr. Prince, seconded by Mr. Merritt, moves that an humble address be presented to His Excellency the Governor General, praying His Excellency to inform this House when he will receive the House with its several addresses to Her Majesty.

Address to Gov. Gen'l to transmit addresses to Her Majesty ordered.

Which was carried, and the address was read twice, concurred in, read the third time and passed, and is as follows:

Address read three times and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that we have, during the present Session, passed several addresses to Her Most Gracious Majesty, on the following subjects, viz:—

Address.

- The Importation of Tea from the United States,
- The Purchase of the Private Stock of the Welland Canal Company,
- The Petition of Christopher Leggo,
- Duties on Importation of Wheat,
- Payment of certain claims,
- The Commuted Chelsea Pensioners, and
- The encouragement of Emigration,

All of which we humbly pray Your Excellency to be graciously pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Eighth day of February, 1840. }

Messieurs Prince and Gamble were ordered by the Speaker to wait upon His Excellency to know when His Excellency will be pleased to receive this House with the several addresses to Her Majesty.

Com. to draft bills on supply resolutions report Baird's remuneration bill.	Mr. Hotham, from the committee to draft bills pursuant to the resolutions reported by the committee of supply, reported the draft of a bill.
	The report was received, and the bill to remunerate N. H. Baird was read the first time.
	On the question for the second reading of the bill on Monday next,
	<i>In amendment</i> —Mr. Ruttan, seconded by Mr. Gamble, moves that the bill be not read a second time on Monday next, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.
Bill read second time and committed.	Which was carried, and the bill was read the second time.
	The House was put into a committee of the whole on the bill.
	Mr. Chisholm, of <i>Halton</i> , in the chair.
	The House resumed.
Bill reported.	The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.
	The report was received.
3d reading to-day.	<i>Ordered</i> —That the bill be engrossed and read a third time this day.
Sel. com. on message on Steam-dredge present report.	Mr. Thomson, from the select committee to which was referred the message of His Excellency the Governor General with the report of the Commissioner of the Provincial Steam Dredge, presented a report, which was received and read.
	<i>Report</i> —(See Appendix.)
Motion for com. of whole on report forthwith.	Mr. Thomson, seconded by Mr. Marks, moves that the report of the select committee on the Provincial Steam Dredge be referred to a committee of the whole forthwith.
Division.	On which the yeas and nays were taken as follows:
	Y E A S .
Yeas—19.	<i>Messrs. Boulton, Cartwright, Chisholm of Halton, Chisholm of Glengarry, Cook, Ferrie, Gamble, Hotham, Malloch, Marks, McDonell of Stormont, McMicking, Merritt, Parke, Prince, Ruttan, Shaver, Solicitor General, Thomson</i> —19.
	N A Y S .
Nays—12.	<i>Messrs. Bockus, Burrill, Burwell, Hunter, Manahan, Mathewson, McDonell of Northumberland, Richardson, Robinson, Shade, Sherwood, Wickens</i> —12.
Carried—majority 7. Com. of whole on report	The question was carried in the affirmative by a majority of seven, and the House was put into a committee of the whole on the report.
	Mr. Ferrie in the chair.
	The House resumed.
Progress reported—sit again on Monday.	The chairman reported that the committee had made some progress in the consideration of the report, and asked leave to sit again on Monday next.
	The report was received, and leave granted accordingly.
	On motion of Mr. Thomson, seconded by Mr. Ruttan,
Report referred to com. of whole on contingencies.	<i>Ordered</i> —That the report of the select committee on the subject of the Steam Dredge, be referred to a committee of the whole House on contingencies.

Pursuant to the order of the day, the address to Her Majesty on the subject of Emigration, was read the third time and passed, and is as follows:—

Address to Her Majesty on emigration read third time and passed.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to Your Majesty that, the period having nearly arrived when by the constitution of the Province the Representative Branch of the Legislature must be dissolved, and considering the probability that a Legislative Assembly for Upper Canada alone will never again be convened, they cannot separate without earnestly, and with a serious and anxious solicitude for the permanency of their connection with Your Majesty's Crown, and a fervent wish that the prosperity of their country may be advanced and secured, imploring Your Majesty to give Your Royal sanction to such measures as Your Majesty may in Your wisdom deem most effectual for encouraging and directing Emigration from the United Kingdom to Your Majesty's North American Colonies.

Address.

It cannot be necessary to state, that by increasing the population of Upper and Lower Canada by emigration from Great Britain and Ireland, the ties which now bind Your Majesty's loyal subjects in these Provinces to Your Majesty's Crown and Government will be strengthened, and, as we trust and hope, rendered indestructible. Neither will it be doubted that such of our fellow-subjects, as may take up their abode among us, will be received here with a cheering and hospitable welcome; and that they will find that, in Upper Canada at least, they are not among strangers, but that they are among people of the same blood and lineage—that they are protected by the same laws and Constitution that secures safety to the persons and property of the inhabitants of England; and that the exercise of political and religious freedom is unrestrained by any intolerant, exclusive or burdensome law. They will discover, moreover, that a bounteous Providence has blessed this Province with a healthful and invigorating climate, and a soil of unsurpassed fertility, yielding abundance and wealth to the industrious cultivator. The thousands of Your Majesty's subjects who, in Great Britain and Ireland, are unable to obtain employment, from which they may clothe and feed themselves and families, will here find that they are in a situation, not only to supply their daily wants, but gradually and with certainty to attain independence for themselves and their children.

We are well aware that it is not in the power of many of the class of persons to whom we have referred to make their way to this country without procuring assistance; and it is to this fact that we chiefly desire, humbly, to draw Your Majesty's attention, and to implore Your Majesty to remove the difficulty which, from that cause, prevents tens of thousands of Your Majesty's faithful subjects from raising themselves from poverty and misery to independence and happiness; and who, instead of remaining a burden on the nation, would be converted into the means of contributing to its wealth and power.

In proof of this, we humbly crave permission to draw Your Majesty's attention to the successful result of the system of emigration which received the sanction of Your Majesty's Royal Predecessors, in the years 1825 and 1825. When the persons sent out by the bounty of the nation, at the times referred to, reached this province, they were poor and needy and discontented,—they had been taken from a land where, though willing to labor, they could find no employment—they had been born, and had advanced to manhood, hopeless of any chance of being enabled through life to accomplish more than their maintenance by daily labor. That they should become the owners of some hundreds of acres of land—that they should find themselves possessed of houses and barns—and horses and cattle, and well cultivated fields—and that they should see their children settled around them, in the same state of prosperity, in all probability never entered into their imagination. Yet such is their present condition; and they now form a happy and grateful community—and such there is no reason to doubt will be the state, after a few years' residence, of all those who may hereafter receive similar encouragement, and temporary assistance.

We readily admit that we can do little more by way of assisting Your Majesty in attaining the object we have in view than to declare our readiness and desire to concur in such a disposal of the waste lands of the province as will contribute to its accomplishment, and to express our wish that such mode of their application may be suggested as will tend to the advancement and encouragement of emigration generally.

We are aware that the late unhappy dissensions that have disturbed the peace of these provinces, have not only greatly retarded its general prosperity, but in a more especial manner indisposed many persons, otherwise desirous of emigrating to them, from taking up their abode among us; but we venture now to express our strong conviction, (and we feel it would be criminal in us to advance an insincere opinion upon a point so important,) that while there is not the most distant ground for apprehending internal revolt, the inroads heretofore made from a foreign nation have experienced such signal defeats and severe punishment, and through the fostering care of Your Majesty, and the bravery and devotion of Your Majesty's loyal subjects, the country is now so guarded, that its future peace may be considered as effectually and permanently secured. That this feeling has become universal is demonstrated, not only by the absence of all attack from a foreign enemy for more than a year past, but by the return to a vigorous and peaceful pursuit of their ordinary employments, by the yeomanry, mechanics, and other inhabitants of the province.

Earnestly beseeching Your Majesty to take the subject of this address into Your Majesty's favorable consideration, we conclude by assuring Your Majesty of our humble but sincere prayers to the Author of all Good, for Your Majesty's personal happiness, and that Your Majesty may long live to reign over an united, happy, prosperous and grateful people.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Eighth day of February, 1840. }

On motion of Mr. Manahan, seconded by Mr. Mathewson,

2000 copies of address
to be printed.

Ordered—That two thousand copies of the address to Her Majesty on Emigration be printed for the use of Members.

Com. to carry up address
for advance on certain
sections of Trent.
report answer.

Mr. Ruttan, from the select committee to wait upon His Excellency the Governor General with the address for a further advance on certain sections of the Trent improvement, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN:

Answer

I shall have much satisfaction, whenever there may be funds in the Public Treasury applicable to such purposes, in issuing my warrant in favor of the contractors for the improvement of the navigation of the river Trent, conformably to the opinion of the House of Assembly.

Com. to carry up address
on Port Stanley (Kettle
Creek) report answer.

Mr. Parke, from the committee to wait upon His Excellency the Governor General with the address respecting the harbor at Port Stanley, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer

I sincerely regret the difficulty which exists with respect to this, as well as other works, and I shall be happy if the reviving credit of the Province shall enable funds to be provided for the object which the House of Assembly desires. But at present, I regret to say, that the Receiver General has no funds which can be applied to this purpose.

Sel. com. on message
with Commissioner of
Crown Lands' accounts
present 2d report.

Mr. Boulton, from the select committee to which was referred the message of his Excellency the Governor General with the accounts of the Commissioner of Crown Lands, presented a second report, which was received and read, as follows :

To the Honorable the Commons House of Assembly:

Report

The committee, to whom were referred the accounts of the Commissioner of Crown Lands, beg leave to report :—

That on examination of the accounts referred to them, it appears they are not prepared in accordance with the provisions of the Act regulating the disposal of the Public Lands, and are in many respects very unsatisfactory.

Your Committee are the more surprised that they were not prepared in proper form immediately at the opening of the Legislature, because last session a committee of Your Honorable House complained of the neglect of that officer in not having then performed his duty. The accounts appear made up in such a confused and loose way, that no person not familiar with the routine of the office can understand them. For instance, a sum is charged for salary and contingencies to a particular person, without specifying what proportion of it is for salary and what for contingencies, or what period it embraces.

The disbursements for clerks and for agents are, in the opinion of Your Committee, very extravagant ; and the charge for salary to agents, during the last eighteen months, is totally unauthorised by law—inasmuch as they can only be paid a per centage on the land sold. A charge also appears made in one instance for a township agent, which is not authorised by law. Notwithstanding a great number of clerks are employed in the office of the Commissioner of Crown Lands (exclusive of that of Surveyor General, held by the same officer,) the sum of £200 is charged as paid to clerks for extra services, over and above their regular salaries ; this appears a very bad system, because if a clerk in an office, upon a fixed salary, can be allowed, at the mere option of the Commissioner of Crown Lands, an additional salary in the shape of remuneration for extra services, a temptation is given to improper practices.

Your Committee would here exhibit the annual expenses of the office, as also the amount of receipts, in cash, during the last year :—

The salary of Commissioner of Crown Lands is.....	£1,055	11	1	per annum.
First Clerk.....	300	0	0	
Second do.	200	0	0	
Third do.	200	0	0	
Fourth do.	200	0	0	
Fifth do.	150	0	0	

In all.....£2,105 11 1

exclusive of two copying clerks employed occasionally, and of contingencies for printing, stationery, and agents, amounting to about £1,000, which cannot be accurately ascertained from the accounts rendered.

Amount received, in cash, for Crown Lands and Clergy Reserves sold during the last year£2,172 5 3

It appears that the expenses of the office of the Commissioner of Crown Lands, during the last year, exceed the amount received, in cash, for Crown Lands and Clergy Reserves sold within that period, and money accruing from former sales has been appropriated to defray such expenses.

The manner in which lots are valued seems extremely disadvantageous to the public interest, for the prices obtained for land sold at private sale appear in many instances far below their actual value. Your Committee do not consider it right that any valuation should be accepted by the Commissioner of Crown Lands, except from one of his agents, or from a Deputy Surveyor, or other competent person employed by him.

Your Committee find that no account has been rendered by the agent for the Midland District for the sales made by him in October, although a sum is charged against him for land sold, and a sum also credited him as if paid, when in point of fact no settlement of accounts had taken place with that agent, and a much greater sale was made by him than is returned. Your Committee are very much astonished at this extraordinary fact, and are bound to declare their conviction that the accounts of the Commissioner of Crown Lands are not to be relied on.

All which is respectfully submitted.

G. S. BOULTON, CHAIRMAN.
GEO. RYKERT,
JAMES MORRIS,
J. W. GAMBLE,
J. S. CARTWRIGHT.

Committee Room, }
3th February, 1840. }

Mr. Thomson from the committee on Roads and Bridges, to which was referred the petition of Philip de Grassi, reported the draft of a bill.

Com. on roads on petition of P. De Grassi report bill for his relief Bill read.

The report was received, and the bill to re-imburse Phillip de Grassi a sum of money expended by him in improving a certain road, was read the first time.

On the question for the second reading of the bill on Monday next.

In amendment—Mr. Small, seconded by Mr. Thomson, moves that the bill be not read a second time on Monday next, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

On the question for the third reading of the bill on Monday next,

In amendment—Mr. Thomson, seconded by Mr. Gamble, moves that the bill for the relief of Philip de Grassi be not read a third time on Monday next but that it be read a third time this day.

Which was carried, and the bill was ordered to be engrossed and read a third time this day.

3d reading to-day.

Mr. Marks, from the committee to wait upon His Excellency the Governor General with the address in behalf of Messieurs Baines and Thornhill, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Com. to carry up address on Baines and Thornhill report answer.

GENTLEMEN:

I will take steps to inquire into this matter without delay, in order to meet, as far as possible, the wishes of the House of Assembly.

Answer.

Law-suit lessening bill
read 3d time and passed

Pursuant to the order of the day, the bill to continue the Act for preventing the unnecessary multiplication of law suits, was read the third time and passed.

Title.

Mr. Solicitor General, seconded by Mr. Boulton, moves that the bill be entitled "An Act to make perpetual certain parts of an Act passed in the fifth year of the reign of His late Majesty, King William the Fourth, entitled 'An Act to prevent the unnecessary multiplication of law suits, and increase of costs in actions on notes, bonds, bills of exchange, and other instruments,' and for other purposes therein mentioned."

Bill sent to Leg. Council

Which was carried, and Messieurs Solicitor General and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Baird's remuneration
bill read third time and
passed.

Pursuant to the order of the day, the bill to remunerate N. H. Baird, was read the third time and passed.

Title.

Mr. Ruttan, seconded by Mr. Boulton, moves that the bill be entitled, "An Act to remunerate Nichol Hugh Baird, Civil Engineer, for certain services."

Bill sent to Leg. Council

Which was carried, and Messieurs Ruttan and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to Gov. Gen'l
on professorships of
medicine ordered.

Mr. Prince, seconded by Mr. Gamble, moves that it be *Resolved*—That an humble address be presented to His Excellency the Governor General, representing to His Excellency that this House considers the establishment of Professorships in the department of Medicine in Upper Canada College, whenever other Professorships are established, which this House trusts will soon be done, as an object highly desirable and important;—that many youths in this Province, who were originally intended for the Medical Profession, have been obliged to abandon it, in consequence of the want of an Institution in which they could receive the requisite instruction;—that many who could afford it, have been obliged to resort to Institutions in the United States for their education, where it is feared that sentiments are imbibed, adverse to the principles upon which our Government is formed,—and in a majority of such cases, after great expense incurred, young men have been rejected in this Province on account of the want of sufficient and necessary knowledge. That at the time of the munificent endowment of the University of King's College, it was intended by the Royal Donor that sufficient instruction in medicine should be afforded to the youth of this Province, and it has not been an unreasonable expectation on the part of that learned Profession, that some steps to supply so great a want as now exists ought to have been taken before this time;—and praying that His Excellency will be pleased to adopt such measures as he conceives necessary to attain the above object, with as little delay as possible;—and that Messieurs Sherwood and Ruttan be a committee to draft and report an address thereon.

Which was carried, and ordered.

Address reported and
read.

Mr. Sherwood, from the select committee to draft an address to His Excellency the Governor General, pursuant to the foregoing resolution, reported a draft, which was received and read the first time.

On the question for the second reading of the address on Monday next,

In amendment—Mr. Sherwood, seconded by Mr. Gowan, moves that the address to His Excellency for a Medical School to be established in Upper Canada College be not read a second time on Monday next, but that it be read a second time forthwith.

Address read 2d time
and committed.

Which was carried, and the address was read the second time.

The House was put into a committee of the whole on the same.

Mr. Sherwood in the chair.

The House resumed.

Reported without
amendment.

The chairman reported that the committee had agreed to the address without amendment, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the address on Monday next,

In amendment—Mr. Sherwood, seconded by Mr. Prince, moves that the address be not read a third time on Monday next, but that it be read a third time forthwith.

Which was carried, and the address was read the third time and passed, and is as follows:— Address read third time and passed.

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, Address. in Provincial Parliament assembled, humbly represent to Your Excellency that this House considers the establishment of Professorships in the department of Medicine in King's College, whenever other Professorships are established, (which it trusts will soon be,) as an object highly desirable and important. Many youths in this Province who were originally intended for the Medical Profession, have been obliged to abandon it in consequence of the want of an Institution in which they could receive the requisite instruction. Many who could afford it have been obliged to resort to the United States for their education, where, it is feared, sentiments are imbibed adverse to the principles upon which our government is formed; and in a majority of such cases, after great expence incurred, young men have been rejected, upon examination in this Province, on account of the want of sufficient and necessary knowledge. We humbly conceive that at the time of the munificent endowment of the University of King's College, it was intended by the Royal Donor that sufficient instruction in Medicine should be afforded to the youths of this country, and it has not been an unreasonable expectation that some steps to supply so great a want as now exists should have been taken before this time; and we pray that Your Excellency will be pleased to adopt such measures as you conceive necessary to attain the above object with as little delay as possible.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Eighth day of February, 1840. }

Messrs. Prince and Sherwood were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Pursuant to notice, Mr. Prince, seconded by Mr. Caldwell, moves that an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to direct that a suitable building be provided forthwith as a temporary asylum for the many unfortunate persons afflicted with lunacy in this Province; and that Messrs. Marks and Burwell be a committee to draft and report the same. Address to Gov. Gen'l on temporary Lunatic Asylum (2d) ordered.

Which was carried, and ordered.

Mr. Burwell, from the committee to draft an address pursuant to the foregoing resolution, reported a draft, which was received and read the first time. Address reported and read.

On the question for the second reading of the address on Monday next,

In amendment—Mr. Prince, seconded by Mr. Caldwell, moves that the address be not read a second time on Monday next, but that it be read a second time forthwith.

Which was carried, and the address was read the second time and concurred in, read the third time and passed, and is as follows:— Address read 2d and 3d times and passed.

To His Excellency The Right Honorable CHARLES POULLTT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, Address. in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to direct that a suitable building be provided forthwith as a temporary asylum for the many unfortunate persons afflicted with lunacy in this province, and beg leave to assure Your Excellency that this House will make good the expence that may be incurred thereby, and in affording relief to such objects of distress.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Eighth day of February, 1840. }

Address in behalf of Small and Taylor read 2d and 3d times and passed.

Pursuant to the order of the day, the address to His Excellency the Governor General in behalf of Messrs. C. C. Small and J. F. Taylor, was read the second time, concurred in, read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, having investigated the claims set forth in the petitions of C. C. Small and John F. Taylor, Esquires, for services performed at the several special Sessions of Oyer and Terminer and Gaol Delivery for the trial of cases of High Treason, in 1838, find that their accounts have not been audited by the Inspector General, for want of authority to justify some of the items, although similar charges were authorized and paid for the like services in 1818 and 1814.

In order that these officers may receive compensation for their services without further delay, we humbly pray that Your Excellency will be pleased to authorise the Inspector General to audit their respective accounts, in conformity with the present tariff of fees established by the Court of Queen's Bench, so far as the same will afford authority, in conjunction with the rate of charges allowed for similar services in 1814.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Eighth day of February, 1840. }

Messieurs Robinson and Small were ordered by the Speaker to wait upon His Excellency with the address, and present the same.

D. Grassi's relief bill read 3d time and passed

Pursuant to the order of the day, the bill to reimburse Phillip de Grassi a sum of money expended by him on the roads, was read the third time and passed

Title.

Mr. Small, seconded by Mr. Gamble, moves that the bill be entitled "An Act for the relief of Phillip de Grassi."

Bill sent to Leg. Council

Which was carried, and Messrs. Small and Gamble were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Messages from Legislative Council.
Imprisonment for debt mitigation bill (2d) sent down for concurrence.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House, several messages, and the bill entitled "An Act to continue and make perpetual an act passed in the fifth year of the Reign of His late Majesty King William the Fourth, entitled 'An Act to mitigate the law in respect to imprisonment for debt,'" which that Honorable House had passed: and also the bill entitled "An Act to repeal, amend, and consolidate, the Registry laws of this Province," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Registry bill sent down amended.

Messages.

The messages were read as follows:

Mr. SPEAKER:

Church Temporalities bill, and

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to make provision for the management of the temporalities of the United Church of England and Ireland, in this province, and for other purposes therein mentioned;" also, the bill entitled, "An Act to authorise the appointment of Commissioners to regulate the practice of the Court of Chancery," without any amendment.

Bill to amend Chancery Act, passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }
Seventh day of February, 1840. }

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to impose duties on certain articles imported into this province from the United States of America;" and also the bill entitled, "An Act to continue and make perpetual parts of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled, 'An Act to alter the laws now in force for granting licenses to Innkeepers, and to give to the Justices of the Peace in General Quarter Sessions assembled, for the respective Districts authority to regulate the duties hereafter to be paid on such licenses,' and for other purposes therein mentioned," without any amendment: and the Legislative Council have adopted the amendment of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to authorize the construction of a Mill-dam across the River Thames."

Import duties' bill,

Inn-keepers' Licence bill, (2d), and

Amendments to Thames mill-dam bill, passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Eighth day of February, 1840. }

Mr. SPEAKER:

The Legislative Council have adopted the amendment of the Commons House of Assembly in and to the amendments of the Legislative Council made in and to the bill sent up to this House, entitled, "An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, "An Act to extend the limits of the town of York, to erect the said town into a city, and incorporate it under the name of the City of Toronto."'"

Amendment to amendments to Toronto Incorporation amendment bill acceded to.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Eighth day of February, 1840. }

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to authorize the raising of a sum of money in the District of Niagara, for the purpose of relieving the said District from debt," without any amendment.

Niagara Tax bill passed Leg. Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Eighth day of February, 1840. }

The bill sent down by the Honorable the Legislative Council, entitled "An Act to continue and make perpetual an act passed in the fifth year of the Reign of His late Majesty King William the Fourth, entitled 'An Act to mitigate the law in respect to imprisonment for debt,'" was read the first time.

Imprisonment for debt mitigation bill (L. C.) read first time.

On the question for the second reading of the bill on Monday next,

In amendment—Mr. Small, seconded by Mr. Sherwood, moves that the bill be not read a second on Monday next but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

On the question for the third reading of the bill on Monday next.

3d reading Monday.

In amendment—Mr. Small, seconded by Mr. Gamble, moves that the bill be not read a third time on Monday next, but that it be read a third time forthwith, and that the fortieth rule of this House dispensed with for that purpose.

Amendment.

Bill read third time and passed.

Which was carried, and the bill was read the third time and passed.

Messieurs Small and Robinson were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had agreed to the same without amendment.

Amendments to Registry bill read first time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to repeal, amend, and consolidate, the Registry laws of this Province," were read the first time, as follows:—

Amendments.

Press 8, Line 1,—After "notwithstanding" insert "*Provided always*, that nothing in this Act contained shall be held to make it necessary to appoint a Registrar in any separate county in this Province, now established during the tenure of office of any Registrar now in office, who may be affected by such new appointment, but that the appointment of a Deputy Registrar and the establishment of a separate office by the Registrar in such separate county, shall be held to be a full compliance with this Act."

"5, *And be it further enacted by the authority aforesaid*, That if any Registrar shall neglect or refuse, for the space of three calendar months, after the passing of this Act, to establish such separate office and to appoint a Deputy to reside in such separate county, it shall and may be lawful for the Governor of this Province to appoint a Registrar for such separate county according to the provisions of this Act."

Press 6, Line 23,—After the word "Mayor" insert "Chief Magistrate."

Press 8, Line 10,—After the word "testatrix" expunge the words "dying within this Province."

Page 16, Line 12,—After "same" insert "*Provided always, and be it enacted by the authority aforesaid*, That this Act shall take effect from and after the first day of May next, and not sooner, and shall thereafter continue and remain in full force and effect."

JONAS JONES,

SPEAKER.

Legislative Council Chamber,
Eighth day of February, 1840. }

On the question for the second reading of the amendments on Monday next,

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the amendments be not read a second time on Monday next, but that they be read a second time forthwith, and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Amendments read 2d time and committed.

Which was carried, and the amendments were read the second time.

The House was put into a committee of the whole on the same.

Mr. Shade in the chair.

The House resumed.

The chairman reported that the committee had amended the amendments, and submitted them for the adoption of the House.

The report was received.

3d reading to-day.

Ordered—That the amendments be read a third time this day.

On motion of Mr. Boekus, seconded by Mr. Robinson,

Address to Gov. Genl on sending Receiver General to England (2d) ordered.

Ordered—That an humble address be presented to His Excellency the Governor General praying His Excellency will be pleased to authorise the Honorable John Henry Don, Her Majesty's Receiver General, to proceed to England, to give such aid in bringing to a settlement the financial affairs of the Province with Messieurs Thomas Wilson & Co., Glynn, Halifax, Mills & Co., and Baring, Brothers & Co., as Her Majesty's Government may require from that officer; and that Messieurs Rykert and Morris be a committee to draft and report the same; and that the thirty-first rule of this House be dispensed with so far as relates to this motion.

On motion of Mr. Rykert, seconded by Mr. Gamble,

Ordered—That three hundred copies of the bill to consolidate the different trusts of macadamized roads, and two hundred copies of the bill to amend the Boundary Line Commissioners' act, be printed in pamphlet form, with marginal notes, for the use of members.

300 copies of Turnpike Trust bill, and 200 copies Boundary Commissioners' amendment bill to be printed.

Pursuant to notice, Mr. Thomson, seconded by Mr. Sherwood, moves for leave to bring in a bill to enable certain religious societies to hold lands, and for other purposes therein mentioned.

Bill for relief of certain religious societies brought in.

Which was granted, and the bill was read the first time.

Bill read.

On the question for the second reading of the bill on Monday next.

In amendment—Mr. Thomson, seconded by Mr. Cartwright, moves that the bill for the relief of certain religious societies be not read a second time on Monday next, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time.

Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Rykert in the chair.

The House resumed.

The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

On the question for the third reading of the bill on Monday next,

In amendment—Mr. Thomson, seconded by Mr. Ferrie, moves that the bill be not read a third time on Monday next, but that it be read a third time this day.

Which was carried, and the bill was ordered to be engrossed and read a third time this day.

3d reading to-day.

Pursuant to the order of the day, the House was again put into a committee of the whole on the report of select committee on petition of A. Manahan, Esquire, and the address to His Excellency the Governor General in his behalf.

Com. of whole on report on pet. of A. Manahan, and on address in behalf of A. Manahan.

Mr. Small in the chair.

At half-past five of the clock, P. M., Mr. Speaker resumed the chair, and adjourned the House for an hour and half.

Adjournment.

The House met again pursuant to adjournment.

House meets.

The committee of the whole on the report of select committee on petition of A. Manahan, Esquire, and address in his behalf, resumed.

Committee resumes.

Mr. Small in the chair.

Mr. Speaker resumed the chair on a question of order.

Question of order.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

The chairman reported that the committee had amended the address, and submitted it for the adoption of the House.

Address reported amended.

On the question for receiving the report, the yeas and nays were taken as follows:—

Division on receiving report.

YEAS.

Messrs. Aikman, Chisholm of Halton, Chisholm of Glengarry, Cook, Ferrie, Gowan, Mathewson, McCargar, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, McIntosh, McLean, McMicking, Moore, Parke, Prince, Robinson, Rutton, Shade, Shaver, Thomson, Thorburn, Woodruff—24.

Yeas—24.

N A Y S.

Nava—6.

Messrs. Bockus, Boulton, Burwell, Malloch, Rykert, Small—6.

Report received —
majority 18.

The question was carried in the affirmative by a majority of eighteen, and the report was received.

On the question for the third reading of the address on Monday next,

In amendment—Mr. Gowan, seconded by Mr. Mathewson, moves that the address be not read a third time on Monday next, but that it be read a third time forthwith.

Address read third
time and passed.

Which was carried, and the address was read the third time and passed, and is as follows:

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to transmit to Your Excellency copy of a report of a select committee of this House upon the petition of Anthony Manahan, Esquire, which has been adopted by this House, and further humbly to pray that Your Excellency will be pleased to take measures for the remuneration of Mr. Manahan, in accordance with the recommendation in the said report, or in such other manner as to Your Excellency may seem fit.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }
Eighth day of February, 1840. }

Messieurs Prince and Gowan were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

Sel. com. on public
departments, (His
Excy's speech), with
messages and reports on
do., present report.

Mr. Small, from the select committee to which was referred that part of His Excellency the Governor General's Speech, at the opening of the present Session which relates to the Public departments, together with the several messages of His Excellency with the reports of the commissioners for investigating the same, presented a report, which was received and read.

Report—(See Appendix.)

Com. to carry up address
on Hamilton and Brant-
ford road contractors
report answer.

Mr. Aikman, from the committee to wait upon His Excellency the Governor General with the address in behalf of the Contractors on the Hamilton and Brantford road reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer

I shall be happy to comply with the wishes of the House of Assembly, if, upon inquiry into the circumstances of the Hamilton and Brantford road, and of the accounts which may be rendered, it shall appear proper to direct the issue of the funds necessary for the purpose, and if any arrangement can be made by which, with a due regard to the pecuniary interests of the Province, the sum required can be raised.

Mr. Rykert, from the committee to draft an address to His Excellency the Governor General to send the Receiver General to England on the financial affairs of the Province, reported a draft, which was received and read the first time.

Address on sending Receiver General to England ordered. Address read.

On the question for the second reading of the address on Monday next.

In amendment—Mr. Rykert, seconded by Mr. Bockus, moves that the address be not read a second time on Monday next, but that it be read a second time forthwith.

Which was carried, and the address was read the second time.

Address read 2d time and committed.

The House was put into a committee of the whole on the same.

Mr. Boulton in the chair.

The House resumed.

The chairman reported that the committee had agreed to the address without amendment, and submitted it for the adoption of the House.

Reported without amendment.

The report was received.

The address was then read the third time.

Address read third time and passed.

On the question for passing the same, the yeas and nays were taken, as follows :

Division on passing.

YEAS.

Messrs. Aikman, Armstrong, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Cook, Ferrie, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Prince, Robinson, Rykert, Salmon, Shade, Shaver, Small, Thomson, Thorburn, Woodruff—23.

Yeas—23.

NAYS.

Messrs. Chisholm of Glengarry, Gamble, Malloch, Ruttan—4.

Nays—4.

The question was carried in the affirmative by a majority of twenty-four, and the address was passed, and is as follows :

Address passed—majority 24.

To His Excellency The Right Honorable CHARLES POULLTT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to authorise the Honorable John Henry Dunn, Her Majesty's Receiver General, to proceed to England, to give such aid in bringing to a settlement the financial affairs of the Province, with Messieurs Thomas Wilson & Co., Glynn, Halifax, Mills & Co., and Baring, Brothers & Co., or with any other parties, as Her Majesty's Government may require from that officer.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly,
Eighth day of February, 1840. }

Messieurs Rykert and Bockus were ordered by the Speaker to wait upon His Excellency with the address, and present the same.

Mr. Thorburn, seconded by Mr. Woodruff, moves that two hundred and fifty copies of the report of the select committee on the report of the Commissioners on the state of the Public Departments be printed for the use of members.

Motion to print 250 copies of report of sel. com. on public departments.

Amendment moved. *In amendment*—Mr. Bockus, seconded by Mr. Rattan, moves that the report be referred back to the select committee, to enable them further to investigate the matter, and report thereon.

Division on amendment On which the yeas and nays were taken as follows

Y E A S .

Yeas—13. Messrs. *Armstrong, Attorney General, Bockus, Boulton, Elliott, Malloch, Mathewson, McDonell* of Glengarry, *Robinson, Rattan, Salmon, Shade, Sherwood*—13.

N A Y S .

Nays—25. Messrs. *Aikman, Burwell, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Ferrie, Gamble, Gowan, Kearnes, Manahan, Marks, McCargar, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Prince, Shaver, Small, Thomson, Thorburn, Wickens, Woodruff*—25.

Amendment lost—majority 12. The question of amendment was decided in the negative, by a majority of twelve.

Previous question moved. Mr. Sherwood moved the previous question, viz : “Shall the main question be now put ?”

Carried. On which the House divided, and it being carried in the affirmative, the question was put.

Division on previous question. On which the yeas and nays were taken, as follows :

Y E A S .

Yeas—21. Messrs. *Aikman, Chisholm* of Halton, *Chisholm* of Glengarry, *Cook, Ferrie, Gowan, Kearnes, Manahan, Mathewson, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Prince, Shaver, Small, Thomson, Thorburn, Wickens, Woodruff*—21.

N A Y S .

Nays—16. Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burrill, Cartwright, Elliott, Hunter, Malloch, McDonell* of Glengarry, *McDonell* of Northumberland, *Robinson, Rattan, Salmon, Shade, Sherwood*—16.

Carried—majority 5. The question was carried in the affirmative, by a majority of five, and ordered accordingly.

Sel. com. on medals present report and resolutions. Mr. Thorburn, from the select committee to make enquiry respecting certain medals, presented a report and sundry resolutions, which were received and read.

Report—(See Appendix.)

Mr. Thorburn, seconded by Mr. Shaver, moves that the House do go into a committee of the whole on the resolution reported by the committee on the subject of the Loyal and Patriotic Society, forthwith.

Com. of whole on report. Which was carried, and the House was put into a committee of the whole on the same.

Mr. Robinson in the chair.

The House resumed.

Resolutions reported. The chairman reported that the committee had agreed to the resolutions, and submitted them for the adoption of the House.

The report was received.

The resolutions were severally put and carried as follows :

Resolved—That during the late war with the United States of America, a society was formed in this Province, called the Patriotic Society of Upper Canada, who among other acts caused to be struck, a number of Gold and Silver Medals, to be distributed among the gallant and meritorious officers and men of the Militia of the Province, who had distinguished themselves in the course of the contest ; which medals this House is informed, have never been distributed.

1st Resolution.

Resolved—That this House is of opinion that it is most desirable that the medals referred to should be distributed, according to the original intention, among the militia entitled to them, and who are now living, and the children of such as are dead, that they may be retained as a distinguished memorial of the gallantry and loyalty of the brave and patriotic men for whom they were designed.

2d Resolution.

Resolved—That the Speaker of this House be requested to transmit a copy of the foregoing resolutions to such of the office bearers of the Patriotic Society as are resident in the Province, with the expression of the wish of this House that they may be complied with ; and that he be further requested to take such steps as may be thought proper to carry out the original intentions of the Society.

3d Resolution.

On motion of Mr. Thorburn, seconded by Mr. Chisholm, of *Hallon*,

Ordered—That five hundred copies of the report and its appendix be printed for the use of members, together with the resolutions as adopted by this House.

500 copies of report, &c. to be printed.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House, a message; and the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Prince Edward District Bank," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council.
Prince Edward Bank bill sent down amended

The message was read as follows :

MR. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to remunerate Lewis Bright for his long and faithful services, by granting a pension to him and his aged wife, or the survivor of them, during their natural lives;" also the bill, entitled, "An Act granting a sum of money for the support of Common Schools, for the year of our Lord one thousand eight hundred and forty;" also the bill, entitled, "An Act to provide for the support and maintenance of the Provincial Penitentiary;" also the bill, entitled, "An Act to afford assistance to the House of Industry, in the city of Toronto;" also the bill, entitled, "An Act granting a pension to Joseph Randall, who lost his arm in the service of Her Majesty," without any amendment.

Message.
Bright's pension bill,
Common School support bill,
Penitentiary support bill
House of Industry support bill, and
Randall's pension bill,
passed Leg. Council

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Eighth day of February, 1840. }

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Prince Edward District Bank," were read the first time, as follows :

Amendments to Prince Edward Bank bill read first time.

Press 2, Line 2,—After "bank" insert "and by that name they and their successors shall and may have continued succession, and shall be persons in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever, and that they and their successors may have a common seal, and may change and alter the same at their pleasure, and also, that they and their successors, by the same name of the President, Directors and Company of the Prince Edward District Bank, shall be in law capable of purchasing, holding, or conveying any estate, real or personal, for the use of the said Company, except as is hereinafter excepted."

Amendments.

Press 5, Line 15,—After "to" expunge "two" and insert "fifty," after "centum" insert "of the capital subscribed."

Press 12, Line 9,—After “Company” expunge the remainder of the clause, and insert “for the period of six calendar months, then, and in such case, their charter shall be forfeited.”

Press 14, Line 19,—After “called” insert “in.”

Press 14, Line 21,—After “Province” insert “having jurisdiction thereof.”

Press 16,—Add to the bill, “*And be it further enacted by the authority aforesaid, That in case it should at any time happen that an election of Directors should not be made on any day when, pursuant to this Act, it ought to have been made, the said Corporation shall not for that cause be deemed to be dissolved, but that it shall and may be lawful, on any other day, to hold and make an election of Directors, in such manner as shall have been regulated by the laws and ordinances of the Corporation.*”

And be it, &c. That the Directors for the time being, or the major part of them, shall have power to make and subscribe such rules and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of the said Corporation, and touching the duties and conduct of the officers, clerks, and servants employed therein, and all such matters as appertain to the business of a bank; and shall also have power to appoint as many officers, clerks, and servants, for carrying on the said business, and with such salaries and allowances as to them shall seem meet, provided, that such rules and regulations be not repugnant to the laws of this Province.

And be it, &c. That nothing herein contained shall be taken or construed to prevent the Legislature of this Province, at any time hereafter, from making such provisions as to the amount and description of notes which may be issued by the said bank, as may be deemed necessary, nor shall any thing herein contained, be construed to prevent the Legislature from applying to the said bank any provisions or restrictions which, by any Act of the Parliament of this Province, may be applied or enforced with respect to any of the banks of this Province.

And be it, &c. That it shall and may be the duty of the President, or Vice President, and Cashier, of the said bank, for the time being, to make a return, under oath, to the Provincial Parliament, once in each year, if required by the Legislative Council or House of Assembly, which return shall contain a full and true account of the funds and property of the said bank, the amount of capital stock subscribed and paid, the amount of debts due to and from the said banks, the amount of bills and notes emitted by the said bank in circulation, and the amount of specie in the said bank at the time of making such return.

And be it, &c. That the funds of the bank shall not be employed in loans or advances upon land or other property, not readily convertible into money, nor in the purchase of any property, except as excepted in the thirteenth clause of this present Act, but be confined to what are understood to be the legitimate operations of banking, namely, advances upon commercial paper or government securities, and general dealings in money and bills of exchange.

JONAS JONES,
SPEAKER.

Legislative Council Chamber, }
Eighth day of February, 1840. }

On the question for the second reading of the amendments on Monday next,

In amendment—Mr. Bockus, seconded by Mr. Armstrong, moves that the amendments be not read a second time on Monday next, but that they be read a second time forthwith, and that the thirty-eighth rule of this House be dispensed with so far as relates to this motion.

Amendments read 2d
time and committed.

Which was carried, and the amendments were read the second time.

The House was put into a committee of the whole on the same.

Mr. Robinson in the chair.

The House resumed.

Amendments read 3d
time and passed.

The chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

On the question for the third reading of the amendments on Monday next,

In amendment—Mr. Bockus, seconded by Mr. Armstrong, moves that the amendments be not read a third time on Monday next, but that they be read a third time forthwith, and that the thirty-eighth rule of this House be dispensed with for that purpose.

Which was carried, and the amendments were read the third time and passed.

Amendments read 3d time and passed.

Messieurs Bockus and Sherwood were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to repeal, amend and consolidate the Registry Laws of this province," as amended by this House, were read the third time and passed.

Amendments to Registry bill, as amended, passed.

Messieurs Sherwood and Bockus were ordered by the Speaker to carry the bill back to the Honorable the Legislative Council, and to inform that Honorable House that this House had made some amendments to their amendments, and to request their concurrence thereto.

On motion of Mr. Thorburn, seconded by Mr. Gowan,

Ordered—That when this House adjourns, it do stand adjourned until Monday, at eight o'clock, A. M.

House to meet at 8 on Monday.

Mr. Mathewson, from the committee to wait upon His Excellency the Governor General, with the address respecting the Rideau Canal, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up address on Rideau Canal report answer.

GENTLEMEN:

In reply to the address of the House of Assembly, I have great pleasure in telling you that you have been incorrectly informed with respect to the proceedings for the establishment of a lock at St. Anne's, in the Lower Province. I consider that work as of the highest importance, and am prepared to take measures for its completion.

Answer.

Pursuant to the order of the day, the bill to amend the act for allowing religious denominations to hold land was read the third time and passed.

Bill for relief of religious societies read third time and passed.

Mr. Thomson, seconded by Mr. Armstrong, moves that the bill be entitled, "An Act to amend an Act passed in the ninth year of King George the Fourth, entitled, 'An Act for the relief of the religious societies therein mentioned.'"

Title.

Which was carried, and Messieurs Thomson and Armstrong were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council

The House then adjourned till eight o'clock, A. M., on Monday next.

MONDAY, 10th February, 1840.

The House met, pursuant to adjournment.

The minutes of Saturday were read.

Pursuant to the order of the day, the House was again put into a committee of the whole on the report of select committee on the message of His Excellency the Governor General with the report of Commissioner of the Provincial Steam Dredge.

Com. of whole again on report of sel. com. on Steam Dredge.

Mr. Merritt in the chair.

The House resumed.

Report adopted.

The chairman reported that the committee had adopted the report and submitted it for the adoption of the House.

The report was received.

Com. of whole on report on com. on contingencies

Pursuant to the order of the day, the House was put into a committee of the whole on the report of select committee on contingencies.

Mr. Bockus in the chair.

The House resumed.

Resolutions reported.

The chairman reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

The report was received.

The following resolutions were severally put and carried :—

1st Resolution :
£3015 19 5½, contingencies of Clerks' Office

Resolved—That there be granted to the Clerk of this House the sum of three thousand and fifteen pounds, nineteen shillings and five pence farthing, for the payment of the contingent expenses of his office for the present year (as per estimate reported by the select committee on contingencies.)

2d Resolution :
£200, extra salary of Clerk.

Resolved—That there be paid to the Clerk of this House the usual allowance to him of two hundred pounds.

3d Resolution :
£454 1 6½, contingencies of Sergeant-at-Arms

Resolved—That there be granted to the Sergeant-at-arms the sum of four hundred and fifty-four pounds, one shilling and sixpence half-penny, for the contingent expenses of his office, including the usual allowance to him of hundred pounds, as per estimate reported by the select committee on contingencies.

4th Resolution :
£75, salary of Librarian

The fourth resolution was put, as follows :

Resolved—That the sum of seventy-five pounds be granted to the Clerk of this House, to pay the like sum to the Librarian, as his salary for the present year.

Division on resolution.

On which the yeas and nays were taken, as follows :

YEAS.

Yeas—29.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Elliott, Ferrie, Hotham, Hunter, Manahan, Marks, McDonell of Glengarry, McDonell of Northumberland, Merritt, Moore, Morris, Parke, Prince, Robinson, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thomson, Thorburn*—29.

NAYS.

Nays—1.

Messrs. *McDonell of Stormont, McIntosh, Shaver, Wickens*—1.

Carried—majority 25.

The question was carried in the affirmative by a majority of twenty-five, and the resolution was adopted.

The following resolutions were severally put and carried :

5th Resolution :
£30, King Barton, Chamber Messenger.

Resolved—That the sum of thirty pounds be granted to pay King Barton as Chamber Messenger for the present year.

6th Resolution :
£20, to Robert Maughan, Office Messenger.

Resolved—That the sum of twenty pounds be granted to pay to Robert Maughan as Office Messenger for the present year.

7th Resolution :
£30, additional allowance to T. Vaux, and salary of £200.

Resolved—That the sum of thirty pounds be granted to Thomas Vaux, in addition to his allowance for the past year, as Assistant to the Chief Copying Clerk, and that he be allowed in future a salary of two hundred pounds per annum.

8th Resolution :
Additional allowance to Messengers.

Resolved—That the following additional sums be paid to the Clerk of this House, to the undermentioned servants, viz :

John Fenwick, Messenger,	Two shillings and six pence per day,	} For the time employed during the present Session.
Robert Defries,	Two shillings and six pence	
Michael McCarty,	Two shillings and six pence	
William Dixon,	Two shillings and six pence	
Thomas Hill,	Two shillings and six pence	
John Kay,	Two shillings and six pence	
Thomas Garlick,	Two shillings and six pence	

Resolved—That the sum of twenty-five pounds be granted to the chief messenger, as an allowance for keeping in order the fire engine, assembly chamber and committee rooms, during the recess.

9th Resolution :
£25, to Chief Messenger, for sundry services.

The tenth resolution was put as follows :

Resolved—That there be granted to Alpheus Todd the sum of fifty pounds, as a full remuneration for his services in completing the Index to the British Statutes, up to the 54th Geo. III, inclusive, in pursuance of a resolution of last session, which recommended a further allowance to be made on the due completion thereof ; and his allowance as deputy librarian.

10th Resolution :
£50, to A. Todd, for completing index to British Statutes, and for salary as Deputy Librarian.

On which the yeas and nays were taken as follows:

Division on resolution.

YEAS.

Messrs. *Aikman, Boulton, Burritt, Burwell, Cartwright, Elliott, Hotham, Manahan, Marks, McDonell of Glengarry, McDonell of Northumberland, McDonell of Stormont, Merritt, Parke, Prince, Robinson, Ruttan, Salmon, Shade, Shaver, Sherwood, Thomson, Wickens*—23.

Yeas—23.

NAYS.

Messrs. *Bockus, Hunter, McIntosh, Moore, Morris, Rykert, Solicitor General, Thorburn*—8.

Nays—8.

The question was carried in the affirmative by a majority of fifteen, and the resolution was adopted.

Carried—majority 15.

The following resolutions were severally put and carried:

Resolved—That there be granted to Mr. William Coates, copying clerk, in consideration of his past long and faithful services, during a period of eighteen years, the sum of thirty pounds.

11th Resolution :
£30, additional allowance to Mr. Coates.

Resolved—That there be granted to Mr. Charles Fothergill, in full of all claims he may have upon this House, for work done, papers and pamphlets furnished, or any other claims, the sum of twenty-five pounds.

12th Resolution :
£25 to C. Fothergill.

Resolved—That there be granted to Nathan Fowler, the sum of twenty-five pounds, for reporting in the second session of the twelfth Provincial Parliament.

13th Resolution :
£25, to N. Fowler, for reporting in 1836.

Resolved—That there be granted to Samuel S. Junkin, the sum of twenty-five pounds, for reporting in the second session of the twelfth Provincial Parliament.

14th Resolution :
£25, to S. S. Junkin, for reporting in 1836.

Resolved—That there be granted to Mr. James Cull, for furnishing numbers of the "Royal Standard," in the session of 1836-7, the sum of twenty-five pounds.

15th Resolution :
£25, to J. Cull, furnishing newspapers in 1836-7.

Resolved—That there be granted to John Carey, the sum of twenty-five pounds, for reporting during the third and fourth sessions of the present Parliament.

16th Resolution :
£25, to J. Carey, for reporting, in 3d and 4th Sessions.

Resolved—That there be granted the following sums, to the under-mentioned persons, as a full remuneration for reporting the debates of the House, during the present session:

17th Resolution :
£146, Reporters during present Session.

James Cull,	- - - - -	Sixty pounds,
John Carey,	- - - - -	Fifty pounds,
S. S. Junkin,	- - - - -	Thirty pounds,
R. G. Dalton,	- - - - -	Six pounds.

Resolved—That the Clerk of this House be authorised to pay to Mr. Alpheus Todd, the sum of twenty-five pounds, for superintending the printing of a work compiled by him, entitled, "The Practice and Privileges of the two Houses of Parliament," and charge the same to the contingencies of the present session.

18th Resolution :
£25, to A. Todd, superintending the printing of a certain work.

19th Resolution :
£2371 15 11, contingencies of Clerk of Legislative Council.

Resolved—That the sum of two thousand three hundred and seventy-one pounds, fifteen shillings and eleven pence, be paid to John Joseph, Esquire, Clerk of the Honorable the Legislative Council, to enable him to pay the contingent expenses of his office for the present year.

20th Resolution :
£203 17 3, contingencies of Usher of Black Rod.

Resolved—That the sum of two hundred and three pounds, seventeen shillings and three pence, be paid to Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, to enable him to pay the contingent expenses of his department for the present year.

On motion of Mr. Thorburn, seconded by Mr. Bockus,

Com. to draft address on resolutions.

Ordered—That Messrs. Rykert and Small be a committee to draft and report an address to His Excellency the Governor General on the resolutions on contingencies.

Address reported and read.

Mr. Rykert from the committee to draft an address to His Excellency the Governor General pursuant to the resolutions on contingencies, reported a draft, which was received and read the first time.

On the question for the second reading of the address to-morrow,

In amendment—Mr. Thorburn, seconded by Mr. Bockus, moves that the address be not read a second time to-morrow, but that it be read a second time forthwith.

Address read 2d and 3d times and passed.

Which was carried, and the address was read the second time and concurred in, read the third time and passed, and is as follows:—

To His Excellency The Right Honorable CHARLES POULETT THOMSON, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

Address—

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to issue your warrant to the Receiver General of this Province, in favor of John Joseph, Esquire, Clerk of the Honorable the Legislative Council, for the sum of two thousand three hundred and seventy-one pounds, fifteen shillings, and eleven pence, to enable him to defray the contingent expenses of his office for the present year.

In favor of Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, for the sum of two hundred and three pounds, seventeen shillings, and three pence, to enable him to pay the contingent expenses of the Honorable the Legislative Council for the present year.

In favor of James FitzGibbon, Esquire, Clerk of the House of Assembly, for the sum of three thousand seven hundred and seventy-one pounds, nineteen shillings, and five pence farthing, to enable him to pay the contingent expenses of his office for the present year.

And in favor of David A. Macnab, Esquire, Sergeant-at-Arms, for the sum of four hundred and fifty-four pounds, one shilling, and six pence half-penny, to defray certain contingent expenses of the House of Assembly for the present year.

All of which said several sums Her Majesty's faithful Commons will make good during the next Session of Parliament.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly, }
Tenth day of February, 1840. }

Messieurs Small and Ferrie were ordered by the Speaker to wait upon His Excellency with the address, and to present the same.

On motion of Mr. Thorburn, seconded by Mr. Bockus,

500 copies of return of suits in Chancery to be printed.

Ordered—That five hundred copies of the returns sent down by his Excellency the Governor General, of suits, &c., in Court of Chancery, be printed for the use of members.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Marks, moves for leave to bring in a bill to revive, continue, and make perpetual, the absconding debtors act. Absconding debtors' bill brought in.

Which was granted, and the bill was read the first time. Bill read.

On the question for the second reading of the bill to-morrow.

In amendment—Mr. Sherwood seconded by Mr. Boulton, moves that the bill be not read a second to-morrow, but that it be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read the second time. Bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Solicitor General in the chair.

The House resumed.

The chairman reported that the committee had agreed to the bill, without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

On the question for the third reading of the bill to-morrow.

In amendment—Mr. Sherwood, seconded by Mr. Boulton, moves that the bill be not read a third time to-morrow, but that it be read a third time forthwith.

Which was carried, and the bill was read the third time and passed. Bill read third time and passed.

Mr. Sherwood, seconded by Mr. Solicitor General, moves that the bill be entitled "An Act to revive, continue, and make perpetual, a certain act passed in the fifth year of the Reign of His late Majesty King William the Fourth, entitled 'An Act to continue and amend the law for attaching the property of absconding debtors,' and for other purposes therein mentioned."

Title.

Which was carried, and Messieurs Sherwood and Solicitor General were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Mr. Richardson, from the select committee to which was referred the petition of Philip Graham, Esquire, presented a report, which was received and read. Sel. com. on petition of P. Graham present report.

Report—(See Appendix.)

Mr. Richardson, seconded by Mr. Prince, moves that the House do now resolve itself into a committee of the whole on the report on the petition of P. Graham.

Which was carried, and the House was put into a committee of the whole on the same. Com. of whole on report

Mr. Prince in the chair.

The House resumed.

The chairman reported that the committee had made some progress in the consideration of the report, and asked leave to sit again this day. Progress reported—sit again to-day.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, at eleven of the clock, A. M., the House was called. House called.

MEMBERS ABSENT.

Members absent.

MESSIEURS ALWAY,
 ATTORNEY GENERAL,
 CAMERON,
 CORNWALL,
 DETLOR, (with leave,)
 DUNLOP, (sick,)
 JARVIS, (with leave,)
 LEWIS, (with leave,)
 McCRAE,
 McKAY,
 McLEAN,
 MURNEY,
 POWELL,

Com. of whole again on report on petition of P. Graham.

Pursuant to the order of the day, the House was again put into a committee of the whole on the report of select committee on the petition of Philip Graham, Esquire.

Mr. Prince in the chair.

The House resumed.

Progress reported—sit again to-day.

The chairman reported that the committee had made some further progress, and asked leave to sit again this day.

The report was received, and leave granted accordingly.

Com. to carry up address in behalf of Small and Taylor report answer.

Mr. Small, from the committee to wait upon His Excellency the Governor General with the address in behalf of Messieurs C. C. Small and J. Taylor reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

I will direct the claims of the officers alluded to in your address to be carefully investigated, and will give directions when a decision can be come to upon them.

Com. to carry up address in behalf of Mr. Manahan report answer.

Mr. Gowan, from the committee to wait upon His Excellency the Governor General with the address in behalf of Mr. Manahan, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

The subject of this address shall receive due consideration.

Com. to carry up address on contingencies report answer.

Mr. Thorburn, from the committee to wait upon His Excellency the Governor General with the address on the Contingencies of the Legislature, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

I shall have much pleasure in complying with the request of the House of Assembly.

Com. to carry up address on sending Receiver General to England report answer.

Mr. Morris, from the committee to wait upon His Excellency the Governor General with the address on sending the Receiver General to England on the financial affairs of the province, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

If the services of the Receiver General appear to the Government desirable for the purposes suggested by the Assembly, I shall be happy to comply with their wish. Answer.

Mr. Shade, from the committee to wait upon His Excellency the Governor General with the address respecting the appointment of a commission to investigate the affairs, &c., of the Canada Company, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Com. to carry up address for commission on Canada Company's affairs report answer.

GENTLEMEN:

I will give my best consideration to the subject of the address, with a view to meet, as far as possible the wishes of the House of Assembly. Answer.

Mr. Sherwood, from the committee to wait upon His Excellency the Governor General with the address respecting Professorships of Medicine, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Com. to carry up address on Professorships of Medicine report answer

GENTLEMEN:

I am happy to inform you that measures are in progress by which the wishes of the House Assembly, will be met on the subject of the establishment of Professorships of Medicine. Answer.

Mr. Sherwood, from the committee to wait upon His Excellency the Governor General with the address respecting a temporary building to be used as a Lunatic Asylum, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Com. to carry up address on temporary Lunatic Asylum report answer.

GENTLEMEN:

I shall be happy to give my attention to the best means of carrying into effect the wishes of the House of Assembly in regard to the establishment of a Lunatic Asylum in this Province. Answer.

The Clerk of the Honorable the Legislative Council brought down from that Honorable House, several messages; and the bill, entitled, "An Act granting a sum of money in aid of the Ancaster Literary Institution, and for other purposes therein mentioned," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Messages from Legislative Council. Ancaster Literary Institute grant bill sent down amended.

The messages were read by the Speaker as follows:

Messages.

Mr. SPEAKER:

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to make perpetual certain parts of an act passed in the first year of the Reign of His late Majesty, King William the Fourth, entitled 'An Act to prevent the unnecessary multiplication of Law Suits, and increase of costs in actions on notes, bonds, bills of exchange, and other instruments, and for other purposes therein mentioned;'" also the bill entitled "An Act granting a pension to the widow and children of the late William Kerry, who was killed in the service of Her Majesty;" also the bill entitled "An Act granting a sum of money to Samuel B. Smith, to make good a deficiency in his salary as one of the junior clerks in the Executive Council Office, for the year of our Lord one thousand eight hundred and thirty-nine;" also the bill entitled "An Act to make perpetual an act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled 'An Act to repeal and amend certain parts of an act passed in the thirty-sixth year of the reign of King George the Third, entitled 'An Act to amend an act for regulating the manner of licensing Public Houses, and for the more easy conviction of persons selling spirituous liquors without licence,'" and also for regulating the duty to be levied upon licences to shopkeepers;" also the bill entitled "An Act to regulate the time for making returns and payments by Collectors and other persons receiving the public revenues of this Province, and for other purposes therein mentioned;" also the bill entitled "An Act to make permanent an act passed in

Law-suit lessening bill,
Kerry's pension bill,
Smith's salary bill,
Shop-keepers' Licence bill,
Collectors and Inspectors' regulation bill,

Militia Pension continuation bill, and Bill to indemnify sufferers by incendiarism since 1838, passed Leg. Council.

the fifth year the Reign of His late Majesty King William the Fourth, entitled 'An Act to amend and continue the act granting Militia Pensions;' and also the bill entitled "An Act to make provision to indemnify persons from losses occasioned by the acts of incendiaries between the fourth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and the first day of January, in the year of our Lord one thousand eight hundred and forty," without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Eighth day of February, 1840. }

MR. SPEAKER:

Oakville Harbor loan continuation bill, passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to extend the time for repaying the loan to the Oakville Harbor," without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Tenth day of February, 1840. }

MR. SPEAKER:

De Grassi's relief bill passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act for the relief of Philip De Grassi," without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Tenth day of February, 1840. }

MR. SPEAKER:

Bill for relief of religious societies passed Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to amend an Act passed in the ninth year of the reign of King George the Fourth, chapter two, entitled, 'An Act for the relief of the religious societies therein mentioned,'" without any amendment.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Tenth day of February, 1840. }

MR. SPEAKER:

Message with resolution on Registry bill.

The Legislative Council have adopted the accompanying resolution, which they communicate herewith for the information of the Commons House of Assembly.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Tenth day of February, 1840. }

Resolution of Leg. Council on amendments to Registry bill.

"Resolved, That the Legislative Council adhere to their amendments made in and to the bill sent up from the Commons House of Assembly, entitled, 'An Act to repeal, amend, and consolidate the Registry Laws of this Province.'"

Truly extracted from the Journals of the Legislative Council, of Monday, 10th February, 1840.

J. JOSEPH,
Clerk Legislative Council.

At twelve of the clock, noon, the House waited upon His Excellency the Governor General with its addresses, requesting His Excellency to transmit the addresses to Her Majesty, and being returned, Mr. Speaker reported the delivery of the same, and that His Excellency had been pleased to make thereto the following answer :

House waits on His Exc'y with address to transmit addresses to Her Majesty.

GENTLEMEN :

In compliance with your request, I will transmit these addresses to Her Majesty's Secretary of State, in order that they may be laid at the foot of the throne.

Answer.

The Clerk to the Honorable the Legislative Council brought down from that Honorable House a message, and having delivered the same at the Clerk's table, retired.

Message from Legislative Council.

The message was read, as follows :

Mr. SPEAKER :

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to revive, continue, and make perpetual a certain Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, 'An Act to continue and amend the law for attaching the property of absconding debtors, and for other purposes therein mentioned,' without any amendment.

Absconding debtors' attachment bill passed Legislative Council.

JONAS JONES,
SPEAKER.

Legislative Council Chamber,
Tenth day of February, 1840. }

At two of the clock, P.M., Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, came to the Bar, and delivered the commands of His Excellency the Governor General for the immediate attendance of the House at the Bar of the Legislative Council Chamber,—and having retired, the Speaker, Officers, and Members present, forthwith attended at the Bar of the Legislative Council Chamber, when His Excellency was pleased, in Her Majesty's name, to assent to the following bills, viz :—

House waits on His Exc'y at bar of Leg. Council Chamber.

"An Act to extend the time for completing the Erie and Ontario Rail-road."

His Excellency assents to following bills :

"An Act to extend the limits of Port Darlington Harbor."

Erie and Ontario Rail Road extension.
Darlington Harbor extension.
Fish Inspection.

"An Act to regulate the inspection of Fish, and to prevent non-residents in this Province from fishing within the waters of the same."

"An Act to appoint the time for holding the Court of General Quarter Sessions of the Peace for the Home District, and to repeal the law now in force for that purpose."

Home District Quarter Sessions.

"An Act to attach certain Townships to the County of Huron."

Huron enlargement.

"An Act for the better regulation of the office of Reporter to the Court of Queen's Bench, in this Province."

Queen's Bench Reporter regulation.

"An Act for further regulating the manner of granting Licenses to Inn-keepers, and to the keepers of Ale and Beer Houses, within this Province."

Inn-keepers' License.

"An Act to extend the time for completing the expenditure upon the Post-road between Cornwall and L'Orignal."

Cornwall and L'Orignal Road completion.

"An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada."

Government Bank Stock sale.

"An Act for stopping up parts of certain Streets in the Town Plot of Sandwich, in the Western District, and for other purposes therein mentioned."

Sandwich Street stoppage.

"An Act to make good certain monies advanced in compliance with the address of the House of Assembly, during the last Session of the Legislature, for the Contingent Expenses thereof."

Contingencies covering.

Bill to punish persons for enticing soldiers to desert.	" An Act to repeal an act passed in the forty-fourth year of the reign of His late Majesty King George the Third, entitled 'an act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any Soldier to desert His Majesty's service, or who shall harbor, conceal, receive or assist, any Deserter from such service,' and to make further provision for the punishment of such offenders."
Hallowell division.	" An Act for dividing the Township of Hallowell, in the District of Prince Edward."
London Police.	" An Act to define the limits of the Town of London, in the District of London, and to establish a Board of Police therein."
Oakville Hydraulic Company.	" An Act to incorporate certain persons, under the style and title of the Oakville Hydraulic Company."
Dalhousie tax.	" An Act authorising the levying of an additional tax on the District of Dalhousie, for the purpose of building a Gaol and Court House therein."
Speaker's salary.	" An Act to enable Her Majesty to remunerate the services of Sir Allan Napier Macnab, Knight, Speaker of the Commons House of Assembly."
Victoria tax.	" An Act to extend the period for which the Magistrates of the District of Victoria are authorised to levy an additional rate in the said District, by an act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'an act to authorise the erection of the County of Hastings into a separate District.'"
Currency Act continuation.	" An Act to continue an act passed in the sixth year of His late Majesty's reign, entitled 'an act to repeal and amend certain acts of this Province, in relation to the gold and silver coins made current by law, and to make further provision respecting the rates at which certain gold and silver coins shall pass current in this Province.'"
Maddock's relief.	" An Act to authorise the Court of Queen's Bench to admit John Ford Maddock, to practice as an Attorney in that Court."
Kingston University.	" An Act to establish a College, by the name and style of the University at Kingston."
Bill for continuation of suits in new districts.	" An Act to provide for the continuation of suits and process, in cases of formation of new Districts."
Bill to prevent issue of small notes.	" An Act to prevent the circulation of printed Promissory Notes, under the value of five shillings."
York Bridge.	" An Act to incorporate certain persons, under the title of the York Bridge Company."
Lawless aggressions prevention.	" An Act to alter and amend an act passed in the first year of Her Majesty's reign, entitled 'an act to protect the inhabitants of this Province against lawless aggressions from subjects of foreign countries at peace with Her Majesty.'"
Midland District tax.	" An Act to authorise the levying an additional rate on the inhabitants of the Midland District, for the payment of the debt of the district, and for other purposes therein mentioned."
Boundary Commissioners' amendment.	" An Act to alter and amend the act passed during the third Session of the present Parliament, entitled 'an act to authorise the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province.'"
Militia pension.	" An Act authorising the payment of Pensions to Militia-men and widows of deceased militia-men, under certain restrictions, and for other purposes therein mentioned."
Bronte Harbor Co.	" An Act to incorporate certain persons, under the name and style of the President, Directors and Company, of the Bronte Harbor."
Statute labor.	" An Act to compel certain persons not assessed, to perform statute labor."
Kidd's remuneration.	" An Act to remunerate John Kidd, for certain services."
Beef and Pork inspection.	" An Act to alter and amend an act passed in the forty-fifth year of the reign His late Majesty King George the Third, entitled 'an act to regulate the packing, curing and inspection, of Beef and Pork.'"
Port Hope Harbor stock increase.	" An Act to increase the Capital Stock of the Port Hope Harbor Company, and to extend the period for completing the said harbor."
Bill to grant lands for fortifications.	" An Act to authorise Her Majesty to take possession of lands, for the erection of Fortifications in this Province, under certain restrictions."

- " An Act granting a further sum of three hundred and fifty-nine pounds, for completing the Bridge over the River Thames, at Chatham, in the Western District." Chatham Bridge completion.
- " An Act to prevent the introduction of Spirituous Liquors into the Common Gaols of this Province." Act to prevent liquors entering gaols.
- " An Act to provide for the management of the Estate of William Handley, Esquire." Handley's Estate.
- " An Act to confirm and regulate certain Sales of Lands for Taxes, in the District of Ottawa." Ottawa Land sale.
- " An Act granting to Her Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and forty." Supply Bill.
- " An Act to regulate the Weight of Salt." Salt Weight.
- " An Act to revive and make perpetual an act granting to Her Majesty a duty on Licenses to Auctioneers, and on Goods, Wares, and Merchandize sold by Auction." Auctioneers' License.
- " An Act to authorise the Receiver General of this Province to borrow a certain sum of money upon Debentures, for the purposes therein mentioned." Debenture Bill.
- " An Act to extend the provisions of an act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'an act to remunerate the Honorable John Henry Dunn, for services rendered this Province.'" Bill to remunerate Receiver General.
- " An Act to repeal, alter and amend, the laws now in force for the regulation of the several Macadamized Roads within this Province." Turnpike Trust consolidation.
- " An Act to continue an act passed in the seventh year of His late Majesty's reign, entitled 'an act granting a salary to the Clerk of the Crown in Chancery, and for other purposes therein mentioned.'" C.C. Chancery's salary.
- " An Act to amend and make permanent an act passed in the fifth year of His late Majesty's reign, entitled 'an act to prevent the sale of spirituous liquors to Indians.'" Bill to prevent sale of liquors to Indians.
- " An Act to authorise certain duties to be imposed and collected on Wooden Stills within this Province, and for other purposes therein mentioned." Still Duty.
- " An Act to authorise the temporary occupation, by the proposed University at Kingston, of the General Hospital at Kingston, upon certain terms therein mentioned." Act to allow Kingston University use of the Hospital.
- " An Act for the relief of Allan McDonell, Esquire, the Sheriff of the Midland District." McDonell's relief.
- " An Act to provide for the relief of William Kingsmill and William Chisholm, Esquires." Kingsmill and Chisholm's relief.
- " An Act to authorise the appointment of Commissioners to regulate the practise of the Court of Chancery." Chancery Act amendment.
- " An Act to authorise the raising of a sum of money in the District of Niagara, for the purpose of relieving the said District from debt." Niagara tax.
- " An Act to afford assistance to the House of Industry, in the City of Toronto." House of Industry aid.
- " An Act granting a sum of money for the support of Common Schools, for the year of our Lord one thousand eight hundred and forty." Common School support.
- " An Act to remunerate Lewis Bright, for his long and faithful services, by granting a pension to him and his aged wife, or the survivor of them, during their natural lives." Bright's Pension.
- " An Act to provide for the support and maintenance of the Provincial Penitentiary." Penitentiary support.
- " An Act to continue, and make perpetual, parts of an act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled 'an act to alter the laws now in force for granting Licenses to Inn-keepers, and to give to the Justices of the Peace, in General Quarter Sessions assembled, for the respective Districts, authority to regulate the duties hereafter to be paid on such Licenses,' and for other purposes therein mentioned." Inn-keepers' License, (second.)
- " An Act to alter and amend an act passed in the thirty-second year of the reign of His late Majesty King George the Third, entitled 'an act to establish the Winchester Measure, throughout this Province.'" Winchester measure.

- Toronto Incorporation amendment. " An Act to continue an act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'an act to alter and amend an act passed in the fourth year of His Majesty's reign, entitled 'an act to extend the limits of the Town of York, to erect the said Town into a City, and to Incorporate it under the name of the City of Toronto.' "
- Thame's Mill-dam. " An Act to authorise the construction of a Mill-dam across the River Thames."
- Imprisonment for debt mitigation (2d.) " An Act to continue and make perpetual an act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled 'an act to mitigate the law in respect to imprisonment for debt.' "
- Randall's pension. " An Act granting a pension to Joseph Randall, who lost his arm in the service of Her Majesty."
- Law-suit lessening. " An Act to make perpetual certain parts of an act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled 'an act to prevent the unnecessary multiplication of Law-suits, and increase of costs, in actions on Notes, Bonds, Bills of Exchange and other instruments,' and for other purposes therein mentioned."
- Kerry's pension. " An Act granting a pension to the widow and children of the late William Kerry, who was killed in the service of Her Majesty."
- Smith's salary. " An Act granting a sum of money to Samuel B. Smith, to make good a deficiency in his salary, as one of the Junior Clerks in the Executive Council Office, for the year of our Lord one thousand eight hundred and thirty-nine."
- Shop-keepers' License. " An Act to make perpetual an act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled 'an act to repeal and amend certain parts of an act passed in the thirty-sixth year of the reign of King George the Third, entitled 'an act to amend an act for regulating the manner of Licensing Public Houses, and for the more easy conviction of persons selling Spirituous Liquors without License,' and also for regulating the duty to be levied upon Licenses to Shopkeepers."
- Collectors and Inspectors regulation. " An Act to regulate the time for making returns and payments by Collectors, and other persons receiving the public revenues of this Province, and for other purposes therein mentioned."
- Militia Pension continuation. " An Act to make permanent an act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled 'an act to amend and continue the act granting Militia Pensions.' "
- Oakville Harbor loan continuation. " An Act to extend the time for repaying the Loan to the Oakville Harbor."
- De Grassi's relief. " An Act for the relief of Philip De Grassi."
- Absconding Debtors' attachment. " An Act to revive, continue, and make perpetual, a certain act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled 'an act to continue and amend the law for attaching the property of absconding debtors, and for other purposes therein mentioned.' "
- His Exc'y reserves following bills :
And to reserve, for the signification of Her Majesty's pleasure thereon, the Bills entitled—
- Nellis' naturalization. " An Act to naturalize Elijah Nellis."
- Bill to grant land to Col. FitzGibbon. " An Act to enable Her Majesty to make a Grant of Land to James FitzGibbon, Esquire."
- Bill to indemnify sufferers by the rebellion. " An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province."
- Commercial Bank stock increase. " An Act for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company."
- Gore Bank stock increase. " An Act to increase the Capital Stock of the Gore Bank, and the number of Shares to be held therein."
- Stuart's relief. " An Act for the relief of John Stuart."

- “ An Act for altering and amending the Charter of the President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of Shares to be held in the Capital Stock of the said Company.” Upper Canada Bank stock increase.
- “ An Act to make provision for the management of the temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.” Church Temporalities.
- “ An Act to impose duties on certain articles imported into this Province from the United States of America.” Import Duties.
- “ An Act to incorporate the Farmers’ Joint Stock Banking Company, under the style and title of the President, Directors and Company, of the Farmers’ Bank.” Farmers’ Bank.
- “ An Act to make provision to indemnify persons from losses occasioned by the acts of incendiaries, between the fourth day of December, in the year of our Lord one thousand eight hundred and thirty-eight, and the first day of January, one thousand eight hundred and forty.” Bill to indemnify sufferers by incendiarianism since 1838.
- “ An Act to amend an act passed in the ninth year of the reign of King George the Fourth, chapter 2, entitled ‘an act for the relief of the Religious Societies therein mentioned.’” Bill for relief of religious societies.
- “ An Act to incorporate sundry persons, under the style and title of the President, Directors and Company, of the Prince Edward District Bank.” Prince Edward Bank.

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 relieving you from further attendance in Parliament, I desire to express my deep sense of the zeal and assiduity which have distinguished your discharge of your duties during this, perhaps the most eventful session of the Upper Canada Legislature ; and I am anxious to offer you my own acknowledgments for the ready attention which you have given to the consideration of the important business which it was my duty to bring before you.

His Exc’y’s speech at close of session.

Your willing acquiescence in the proposed Re-union of this Province with Lower Canada, upon the terms, and according to the principles suggested by me, has afforded me the most lively satisfaction ; and I look forward with confidence to the completion of that measure, under the direction of our Gracious Sovereign, and of the Imperial Parliament, as the means by which the peace, happiness and good government of the inhabitants of the Canadas will be permanently secured.

By the bill which you have passed for the disposal of the Clergy Reserves, you have, so far as your constitutional powers admit, set at rest a question which, for years past, has convulsed society in this province. In framing that measure you have consulted alike the best interests of religion, and the future peace and welfare of the people, for whose service you are called upon to legislate ; and I rely on your efforts proving successful, notwithstanding any attempt which may be made to renew excitement, or to raise opposition to your deliberate and recorded judgment.

The care and attention which you have bestowed on these important subjects, and the calmness and dignity which have marked your deliberations on them, cannot fail to give additional weight to your decisions before that tribunal to which they are now necessarily referred.

I have given my assent, with great satisfaction, to different bills which you have passed ; and I shall transmit, without delay, such others as, from their nature, it is my duty to reserve, in order that Her Majesty’s pleasure may be signified thereupon.

Amongst the latter is a bill for the payment of “losses by the rebellion or invasion.” To this bill I should have been ready to assent, but as I observe that the House of Assembly have addressed Her Majesty, praying that the losses may be defrayed by the Imperial Treasury, I have considered it to be more for the interest of the parties concerned, that the bill should be reserved, in order that the address may be considered by Her Majesty’s government, before the provincial funds are finally charged with this payment.

Gentlemen of the House of Assembly :

I thank you for the readiness with which you have voted the supplies for the public service.

The decision to which you came respecting the future settlement of the Civil List, under the proposed union, rendered it impossible for me to submit to you any renewed proposal for the surrender of the revenues of the Crown, in exchange for a provision for the expenses of the Civil Government of this Province ; but in transmitting your resolutions to Her Majesty’s Government, I have not failed to draw their attention to this subject.

I lament that the circumstances in which this Province is placed, have necessarily prevented you from adopting measures by which its financial difficulties could be permanently removed ; but this can only be effected when the obvious and easy means of augmenting the revenue, through the customs duties, with little comparative inconvenience to the people, shall be placed within your control. In the meantime, it will be my anxious desire to use the powers with which you have entrusted the Executive Government, to relieve, as far as possible, the most pressing demands upon the public faith ; and I shall devote myself to the consideration and recommendation of measures, by which the credit of the Province may be sustained, and its future prospects improved.

Honorable Gentlemen; and Gentlemen :

On your return to your different Districts, I earnestly hope that it will be your endeavour to promote that spirit of harmony and conciliation, which has so much distinguished your proceedings here. Let past differences be forgotten—let irritating suspicions be removed. I rejoice to find that already tranquility and hopeful confidence in the future, prevail throughout the province. Let it be your task to cherish and promote these feelings ; it will be mine cordially to co-operate with you ; and by administering the government in obedience with the commands of the Queen, with justice and impartiality to all, to promote her anxious wish, that her Canadian subjects, loyal to their Sovereign, and attached to British institutions, may, through the blessing of Divine Providence, become a happy, an united, and a prosperous people.

Parliament prorogued
to 16th March.

After which the Honorable Speaker of the Legislative Council declared that it was His Excellency's pleasure that this Parliament be prorogued to Monday the sixteenth day of March next, and declared the Parliament prorogued to the said sixteenth day of March, to be then and here holden.

JAMES FITZGIBBON,

CLERK OF ASSEMBLY.





I N D E X.

A.

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For information on hunters' lodges, 53, 110,.....	28	68	87	90	90	109
For information on Rideau and Lachine Canals, 77,.....	62	80	94	97	97	108

Answer.

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Auctioneers' License,.....		289	289	289	295	295	335	383	
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BILLS.		Notice.	First reading.	Second reading.	Committed.	Third reading.	Passed Assembly.	Passed Legislative Council.	Royal Assent.	Reserved.
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Farmers' Bank, 193, 350,		158	192	192	196	197	341			
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Hallowell division, 95, 180,		63	80	80	184	184	220	382		
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Imprisonment for debt mitigation, L. C.,		365	365	365	366	366	364	384		
Inn-keepers' license, 328,		300	300	300	338	338	365	381		
Inspectors' regulation,		264	350	350	355	355	379	384		
Inspectors' remuneration,	179									
Kerry's pension,		348	349	349	356	356	379	384		
Kidd's remuneration,		164	255	255	259	259	273	382		
King's College charter amendment,	4									
Kingsmill and Chisholm's relief,		313	314	314	328	328	341	383		
Kingston University to occupy Hospital,		285	334	334	334	334	284	383		
Lands for fortifications,	223	262	263	263	266	266	291	382		
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Lands to Colonel FitzGibbon, 274, 304,		240	240	240	244	244	273	384		
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L'Original road,	40	85	99	99	106	106	220	381		
Lower Canada Banks,		118	190	190	195	195				
Lunatic Asylum amendment,	4									
Maddock's relief,		73	87	87	91	91	72	382		
Magistrates' fees reduction,	175	249								
McDonell's relief,		313	313	313	328	328	341	383		
Midland District additional assessment,		136	136	136	139	139	291	382		
Midland District assessment increase,	4									
Militia Act amendment,	118	182	214	214						
Militia Law amendment,	46									
Militia Law amendment, L. C.,		220	337	337			220			
Militia pension,	234	239	240	240	245	245	273	382		
Militia pension continuation,		220	350	350	355	355	380	384		

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Mutual Assurance amendment,.....	50	94	180	180					
Nelles' naturalization, L. C.,.....		129	189	189	191	191	129		384
New District suits continuation, L. C.,.....		129	129	129	184	134	129	382	
Niagara District assessment,.....		186	210	210	215	215	365	383	
Norfolk and Haldimand land tax,.....		217	254	254	258	258			
Oakville Harbour loan,.....		277	340	349	354	354	380	384	
Oakville Hydraulic Company, 241, 242,.....		136	194	194	206	206	241		
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Ordnanace Estates,.....	223	304	304	304					
Osnabruck Bridge,.....		349	349	349	354	354			
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Port Hope Harbour stock,.....		252	264	264	266	266	291	382	
Prince Edward Bank, 372,.....		136	182	182	184	184	371		385
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	Notice.	First reading.	Second reading.	Committed.	Third reading.	Passed Assembly.	Passed Legislative Council.	Royal Assent.	Reserved.
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MacDonell, Allan, Esquire, Sheriff, Midland District	286	Cartwright	286	287	312		
MacDonell and Mears	45	Hotham	56	57	137		
MacDonell, Duncan, and 104 others, Eastern District....	117	McLean	131	152	277		
MacDonell, Duncan, Esquire, Greenfield.....	132	McLean	154	158		218	
MacDonell, Ewan, and 353 others, of Lochiel.....	160	A. Chisholm	175				
Machar and Mowatt.....	235	Morris	251				
MacGillivray, A., and 220 others, Eastern and Ottawa Dist.	71	Kearnes	82	83		166	

PETITION OF	Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by		
					Report.	Bill.	Address.
MacIntee, (Widow).....	89	Rykert	107	108			
MacLellan, Hugh, Doorkeeper of the House of Assembly,			329	329			
MacNab, Dugald C., and 73 others, of MacNab.....	257	Powell	272	272			
MacNab, Sir Allan Napier, and 43 others, Stockholders in the Great Western rail-road.....	82	Aikman	97	108			
Macpherson & Crane, and 77 others, of Kingston.....	106	Hagerman	117				
Maddock and Hamilton	55	Small	67	79			
Maddock, John Ford, city of Toronto.....	38	Gowan	44				
Magistrates, Home District.....	82	Small	97	98	267		
Magistrates, Midland District.....	89	Cartwright	91	91			
Magistrates, Niagara District, (1).....	49	Richardson	61	62	175		
Magistrates, Niagara District, (2).....	49	Richardson	61	62			
Manahan, Anthony, Esquire, of Kingston.....	19	Gowan	28	28	93		93
Manners, George, Northumberland Agricultural Society,	171	Boulton	286				
Martin, John, and 35 others			286	340			
Mayor and Common Council of Toronto.....	61	Draper	71	79	98	98	
Mewburn, John, J. P., of Niagara District.....	44	Thorburn	49	23		308	
Meyers, Adam H., and 117 others.....	157	Bockus	158	158	268		268
Millar, F. G., and 130 others, Gore,	160	Shade	175	175			
Millar, F. G., and 25 others, of Waterloo.....	295	Shade	329				
Millar, W. H., and 32 others	172	McLean	185	185			
Miller, George, and 20 others, of Markham.....	257	Thomson	272				
Millman, Thomas, and 115 others, Gore District.....	221	Shade	237	237		239	
Mitchell, James.....	265	Boulton	276				
Mitchell, James.....	44	Burwell	49	56			
Mortimer, Cecil, Picton, Prince Edward District.....	34	Bockus	42				
Nelles, Elijah.....	77	Hunter	91				
Nelles, R. J. P., and 63 others, Niagara District.....	44	Rykert	49	49			
Nelles, Warner, J. P., and 86 others, Haldimand	195	Burwell	216				
Nichols, Henry E., late Lieutenant in Provincial Marine,	122	Prince	151	179			
O'Brien, Edward G., Esquire, of Oro.....	106	Robinson	117	118			
Parke, Jeremiah, and 269 others, of Port Hope.....	34	Boulton	42				
Paul, Charles W., and 93 others.....	191	Parke	208	208	314		
Paulding, N., and 139 others, Niagara District.....	89	Rykert	107	107		200	
Perry, Ebenezer, & Co., and 118 others, of Cobourg.....	165	Ruttan	179	179			
Perry, Ebenezer, and 30 others, Stockholders in the Co- bourg Rail-road Company.....	61	Boulton	71	123		125	
Peterson, H. W., J. P., and 64 others, Waterloo.....	295	Shade	329				
Peterson, H. W., Proprietor of the "Canada Museum,"	27	Shade	39	39			
Pierce, Orrin, of Carleton Place, Bathurst District.....	215	Malloch	226				
President and Directors of the Gore Bank.....	183	W. Chisholm	185	185		186	
President and Directors of the Montreal Bank	55	Bockus	66	67		118	
President and Directors of Port Hope Harbour Company,	221	Boulton	237	247		252	
President and Fellows of the College of Physicians.....	25	Sherwood	35	35			
President, Directors and Company of Bank of U. Canada,	77	Draper	91	91			
Randall, James, of the town of Chatham.....	343	Prince	261	272	278		
Read, James, and 2 others, Com'rs of Chatham Bridge,	82	Prince	97	98			
Read, James, and 584 others, county of Kent	206	Prince	223				
Reid, H. S., J. P., and 32 others.....	19	Boulton	27	28		37	
Reynolds, R., and 264 others	265	Prince	267	267	273		
Ridout, Mrs. Mary, of Toronto, Widow of the late Hon Thomas Ridout.....			329	329	329		
Robertson, William, J. P., and 175 others, of London,	82	Burwell	97	135		166	
Ronny, B. B., J. P., and 104 others, Newcastle District,	122	Boulton	151				
Ross, Robert, of Barrie.....	106	Robinson	117	118			
Rubige, John P., and 49 others, of Peterboro.....	190	Ruttan	207				

PETITION OF	Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by		
					Report.	Bill.	Address.
Ryall, Edward, of Oro, Home District.....	82	Gowan	97	98	209		
Ryerse and Harris, London District, and 90 others;....	71	Burwell	83				
Sampson, J., and 17 others, of Kingston,.....	235	Morris	251				
Sanson, J., chairman township meeting, Orillia,.....	165	Robinson	179				
Saunders, G., and 372 others, Home District,.....	117	Sherwood	131				
Saunders, T., J. P., and 280 others, of Guelph,.....	121	Shade	237	237		239	
Sayre, Charles, and 88 others, of Prince Edward,.....	178	Bockus	191	191			
Scott, Thomas, and 93 others, of Leeds,.....	106	Morris	118	118			
Secord, John, J. P., and 43 others, Gore District,.....	138	Aikman	157	152			
Sherrard and Henry, Chrystian Ministers,.....	215	Small	227	227		313	
Small, C. C., Esquire,.....	215	Prince	226	227	320		
Smart, David, and 2437 others, Durham,.....	178	Boulton	185	185			
Smith, Henry, Warden Provincial Penitentiary, 116,	11	Ruttan	20	26	57		
Smith, John,.....	172	Ferrie	185	217	248	252	
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Snook, Tunis, and 23 others, of Kingston,.....	286	Marks	211	212			
Somerset, John, and 580 others, Home District,.....	27	Thomson	39	39			
Sparks, N., and 804 others, Dalhousie,.....	45	McKay	56				
Speers, T., and 75 others, Newcastle District,.....	257	Ruttan	272	287			
Steers, Wm. M., Clerk Adjutant General's Office,....	191	Prince	207	208			
Stennett, Wm., and 34 others, City of Toronto,.....	195	Sherwood	198	198	224		
Steward, Daniel, of Niagara,.....	96	Thorburn	113	113			
Stewart, Thomas A., J. P., and 92 others,.....	61	A. McDoneh	71				
Stringer, James, and 18 others, Gore District,.....	272	W. Chisholm	286	340			
Stuart, Archibald, and 158 others, Lancaster,.....	82	D. McDonell	97	108			
Stuart, John, Esquire, Town of London,.....	19	Sherwood	28	28			
Taylor, John Fennings,.....	186	Sherwood	298	299			
Taylor, John Fennings, Toronto,.....	138	Aikman	157	158	320		320
Taylor Thomas More, of Chatham,.....	132	Prince	154				
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Thompson, W., and 138 others, Toronto, Home District,	215	Thomson	227	227			
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Treadwell, C. P., Esquire, Sheriff Ottawa District,	122	Hotham	134	135		168	
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Vanevery, W. B., Chairman Quarter Sessions Gore Dist.	44	Ferrie	49	49			
Verehoeff, P. V., Township of Sandwich,.....	82	Prince	97	113			
Walker, Thomas, and 85 others, Newcastle District,	257	Ruttan	272	287			
Ward, T., and 58 others, of Port Hope,.....	165	Ruttan	179	179			
Washburn, S., and 26 others, Prince Edward District,	96	Bockus	113	113		136	
Warden, Asa, and 107 others, of Hallowell,.....	3	Bockus	11	21	62	62	
Wetenhall, J. P., and 111 others, County of Halton,	251	Shade	251	251	268	268	
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